LEGISLATIVE COUNCIL

Thursday 19 October 1989

The PRESIDENT (Hon. G.L. Bruce) took the Chair at 2.15 p.m. and read prayers.

SUPERANNUATION ACT AMENDMENT BILL (No. 2)

His Excellency the Governor, by message, intimated his assent to the Bill.

QUESTIONS

DEREGULATION

The Hon. K.T. GRIFFIN: I seek leave to make a brief explanation before asking the Attorney-General a question on the subject of deregulation.

Leave granted.

The Hon. K.T. GRIFFIN: The 1989 report of the Government Adviser on Deregulation has not yet been tabled, either separately or as part of the report of the Attorney-General's Department. However, the Liberal Party has seen a copy, and it is critical of the Government's deregulation program. It says:

> The time taken to carry out major regulation reviews is disturbing. Either the task is being given low priority or the review process is extremely inefficient.

Again, it says:

> Because the more significant reviews of Government regulations are taking several years to complete there are very few cost savings which can be identified from deregulation at this time.

The report also says:

> The time taken to carry out major regulatory reviews is disturbing and I am encouraging agencies to adopt a more efficient review process.

The report refers to 10 reviews which were in process at the time of the 1988 report of the Government Adviser on Deregulation and says that 'none of these reviews have been completed, so that the benefits of deregulation have still to be achieved'. It is now three years since the Government Adviser on Deregulation was appointed, but no benefits have yet been received and the Government's own adviser is critical of the Government's commitment to the task.

The report also focuses on the need for more resources to undertake the review of the legislation establishing 275 statutory authorities because it will be 'a major task, requiring a commitment of independent research resources'. The report also says that, if the target of reviewing most Government regulation in the next four years is to be achieved, it 'required a more systematic approach to the whole regulation review process'. When will the Attorney-General table the 1989 report of the Government Adviser on Deregulation, or is it too embarrassing to do so?

The Hon. C.J. SUMNER: The report will be tabled, as it was last year, as part of the Attorney-General's Department report.

The Hon. K.T. Griffin: It was tabled on 4 October last year.

The Hon. C.J. SUMNER: It is now 19 October, which is only two weeks later than last year. I am not quite sure what particular point the honourable member wishes to make about that. It will be tabled as part of the Attorney-General's report.

The Hon. L.H. Davis: When will that be tabled—next week?

The Hon. C.J. SUMNER: Yes, it is possible it will be tabled next week, or whenever it goes through the process. That is the procedure that will be followed; that is the procedure that was followed last year.

The Hon. L.H. Davis: It's too embarrassing.

The Hon. C.J. SUMNER: That is all right. There is nothing in there of major concern. It is certainly not true that there have been no benefits from the deregulation initiatives taken by the Government, which have been, I believe, very significant. Certainly, with respect to the first compulsory review of regulations, some 60 per cent were not renewed. Of course, honourable members opposite really have no authority whatsoever to talk about deregulation. Generally, when deregulation initiatives are brought before this Parliament the Opposition opposes them, including shopping hours, bread baking hours and petrol trading hours. Members opposite also oppose abolition of the Egg Marketing Board and deregulation of egg marketing, the dairy industry and the Potato Board.

An honourable member: It's gone.

The Hon. C.J. SUMNER: It's gone now—

Members interjecting:

The PRESIDENT: Order! There is too much audible conversation.

The Hon. C.J. SUMNER: In relation to agricultural marketing boards, members opposite have generally taken the stance that regulation should remain, just as they have taken the stance that the regulation relating to shopping hours should remain and should not be changed.

An honourable member interjecting:

The Hon. C.J. SUMNER: One would not leave it to the Industrial Conciliation and Arbitration Commission to determine the question of award conditions that might flow from extended trading hours. All one has to do is agree with the trading hours being extended by the Bill introduced by the Government. Industrial implications would then flow through the normal processes and be arbitrated upon by the Industrial Conciliation and Arbitration Commission in South Australia. Members opposite have little credibility in respect of deregulation. The deregulation process which the Government has set in train continues. Under the legislation there are automatic cut-off points for regulations, and all regulations will have to be reviewed over a period. Furthermore, all regulations have a life of only seven years.

With respect to the first major review, some 60 per cent of regulations were not renewed, as I have said. In some areas obviously the review process takes longer than one would like. Some of the issues are complex. The issues obviously involve interest groups which need to be consulted. So, in some cases the regulations have had to be rolled over but generally I am reasonably satisfied with the progress of the regulation review procedures set in train by the Government. They have been enshrined in legislation in any event so they will continue to occur over the ensuing years.

ONE STOP SHOP

The Hon. R.I. LUCAS: I seek leave to make a brief explanation before asking the Attorney-General a question about the one stop shop.

Leave granted.

The Hon. R.I. LUCAS: In a press release dated 22 November 1985 relating to the release of the Labor Government's small business policy, the Premier said:

The Government will also consider adopting other recommendations of the deregulation task force. These include the establishment of a shop front 'one stop shop' to provide all forms and applications required by the public, together with information about necessary regulations and the purpose of each form and application.

Four years later, in releasing an economic plan for the 1990s, on 11 October the same Premier—the one and the same Premier, the 'one stop shop' Premier—said that the one stop shop for licences—

Members interjecting:

The PRESIDENT: Order! The Hon. Mr Lucas has the floor.

The Hon. R.I. LUCAS: The 'one stop shop' Premier said that the one stop shop for licences for small business—

Members interjecting:

The Hon. R.I. LUCAS: I am pleased that Labor members treat with levity their own Premier and the promises he makes. The Premier said that the one stop shop for licences for small business would be established. The deregulation task force recommended in October 1985 the establishment of a one stop shop. In September 1986 the Government Adviser on Deregulation recommended that a business licence information system in Victoria be evaluated, and several officers have examined it. It appears that no further action has been taken by the Government. Why has the Government not established a one stop shop for business regulation as promised by the Premier four years ago, just prior to the last State election?

The Hon. C.J. SUMNER: Because the establishment of such an information service requires a considerable amount of work and coordination. That work has been supervised by the Office of the Government Management Board and has been occurring over the past few years. As I understand it, action will be taken with respect to this matter—

The Hon. Diana Laidlaw: Why should we believe it this time?

The Hon. C.J. SUMNER: There is no reason why you should not. The fact of the matter is that the work on this—

Members interjecting:

The PRESIDENT: Order!

The Hon. C.J. SUMNER: —particular matter has proceeded. I do not have with me the material to give an update on what stage consideration of the issue has reached, but I do know that a considerable amount of work has been done by the Office of the Government Management Board in conjunction with other agencies, and I am pleased to see that the Premier has included it in his recent statement.

DEREGULATION

The Hon. J.C. BURDETT: I seek leave to make a brief explanation before asking the Attorney-General a question about deregulation.

Leave granted.

The Hon. J.C. BURDETT: The Attorney-General has the ultimate responsibility for deregulation, and must ensure that momentum is maintained. He has, in answers to previous questions just now, acknowledged that a Green Paper on significant deregulation of activities of ETSA has been prepared, but when it was presented to the Minister of Mines and Energy he said words to the effect, 'Take it away: I don't want to know about it.' The whole idea of a Green Paper is that it is a discussion paper and that it is issued in order to obtain the views of various people who could be expected to have views on that subject, so that they can be discussed for the formulation of policy. The Green Paper would have caused controversy—and green papers are usually intended to—and would have attracted union opposition.

It was regarded as being too hot to handle in an election year. Will the Attorney-General, as the Minister responsible for deregulation, ensure that the green paper on deregulation of the activities of ETSA is released immediately even though it is likely to be controversial?

The Hon. C.J. SUMNER: I am responsible for the overall procedures relating to deregulation, and the deregulation unit is in the Department of Public and Consumer Affairs. However, obviously across the whole range of Government a massive number of reviews are going on at any one time, and I am not privy to details of all of them. All I can do is say that I will examine the question raised by the honourable member, and advise whether his request can be complied with.

YATALA DEATH

The Hon. I. GILFILLAN: I seek leave to make a brief explanation before asking the Attorney-General a question about information for Mrs Stone regarding the murder of her husband at Yatala.

Leave granted.

The Hon. I. GILFILLAN: I have been contacted by the wife of the murdered prisoner at Yatala, Anthony Wesley Stone, who is very concerned about the circumstances of information getting to her about the attack and eventual death of her husband. Her husband was attacked at 4.10 p.m. on the day of his death and died at approximately 4.55 p.m. at Modbury Hospital. There was no attempt by either the police or prison authorities to get in touch with Mrs Stone or any member of the family until after Stone's death. Therefore, even had she been able, there would have been no opportunity for any of them to have attended him in the prison. However, Mrs Stone was involved with netball and was not immediately contactable in any case, but the electronic media, both radio and television, were reporting the name of the murder victim 1½ hours before she was notified. In fact, she still has not had from the department or the prison any formal information of her husband's death.

Mrs Stone believes that she is, rightly (and I agree deeply), offended that acquaintances were telling her that they had heard on radio and television that her husband had been murdered, before she had been contacted. She was informed by the police on complaint from her that they had not released the information and that it had come from the office of the Minister of Correctional Services.

Does the Attorney-General agree that it is entirely unacceptable that the name of a murdered spouse should be published before the surviving spouse is informed? Secondly, does the Attorney-General agree that Mrs Stone was and is entitled to be treated with the full respect and dignity of any member of the public? Thirdly, will he determine who released the information to the media prior to Mrs Stone being informed? Finally, does the Attorney agree that the offending media have broken their code of ethics, and will he publicly censure those sections of the media that offended?

The Hon. C.J. SUMNER: There are some detailed questions there on which I would need to obtain information. Suffice to say that in my view the relatives of a murder victim are entitled to consideration, compassion and understanding. But, apart from affirming that proposition in the honourable member's question, I cannot obviously take the matter further at this stage, because he has raised detailed

issues which I will have examined and on which I will bring back a report.

The Hon. I. GILFILLAN: I have a supplementary question. With his well recognised and justified support for VOCS (Victims of Crime Support), does the Attorney agree that under the circumstances there should have been no publication of the name of the murder victim until the spouse was informed of that fact?

The Hon. C.J. SUMNER: I am not aware of the circumstances to enable me to comment sufficiently. I am not sure who was responsible for the publication of the name and the circumstances of the publication of the name, or indeed how the name came to be published.

The Hon. I. Gilfillan: But in principle.

The Hon. C.J. SUMNER: In principle, I have answered the question by saying that the family of murder victims, whoever they are, should be treated with compassion, understanding and respect and that care should be taken by all agencies, whether Government or private (in the form of the media), to try to ensure that those wishes are respected.

NURSES' SAFETY

The Hon. M.B. CAMERON: I seek leave to make a brief explanation before asking the Minister of Tourism, representing the Minister of Health, a question about nurses' safety.

Leave granted.

The Hon. M.B. CAMERON: I understand that about six months ago the nurses' home at the Queen Elizabeth Hospital began making accommodation available for the general public out of the nurses' home besides housing up to 50 nurses, chiefly from the country, particularly young girls in nurses training. As a result of that decision, both the general public and sporting groups visiting Adelaide have had access to the building. Recently, staff have heard that the home has been fully booked for the Grand Prix, and that up to 900 people could be accommodated during the race period. I have no way of confirming that number, but that is the indication that has been given to me.

Recently, because of changes in security procedures, security staff attached to the hospital no longer have immediate access to the nurses' quarters, should there be trouble and, in fact, need written authorisation before they can enter. They are banned from going into the nurses' home. If there is a problem, the nurses have to call the police from a public phone box downstairs, because the internal phones are not to be used to call the hospital system; they can be used for other purposes but not for security.

I understand that a few weeks ago a party of 150 handballers from interstate were accommodated in the nurses' home over a weekend. Nurses at the home say that this caused considerable disruption to staff lifestyle during their stay, with alcohol being brought in, a bottle being thrown through the window of a flat, terrifying the nurse occupants, and nurses on shift work generally being subjected to increased disturbances. Nurses also advise that there has been a rise in vandalism, harassment and even assaults on nursing staff around the hospital grounds in recent months. I am advised that nurses have been attacked on several occasions, and on Monday night six cars were broken into and vandalised. I was informed, not by the person concerned but by another nurse, that a young man appeared in her flat and offered her a full body massage and was very difficult to get out. It became difficult for the person concerned. The man then went to other parts of the nurses' accommodation, making the same approaches.

The nurses living in the home say that there is little privacy or security in their quarters, with cleaning staff coming and going as they wish. At the same time they say they are subjected to severe restrictions on the use of electrical items in their quarters, owing to inability of the home's electrical system to cope with demand. So, from the little advice I have received, they have quite a difficult problem. Nurses advise that they are allowed only one hotplate with which to cook and yet blackouts are not uncommon. When one is on shift work, it is extremely difficult if one does not have satisfactory cooking facilities or a reasonable amount of silence during the day when one is trying to sleep. During the height of winter the home's heating system was turned off for a fortnight.

My question is: what action will the Minister of Health take to increase security and improve general living conditions for nursing staff housed in the Queen Elizabeth Hospital's nurses' home?

The Hon. BARBARA WIESE: I will refer those questions to my colleague in another place and bring back a reply.

ADELAIDE CONVENTION CENTRE

The Hon. T. CROTHERS: I seek leave to make a brief explanation before asking the Minister of Tourism a question about the Adelaide Convention Centre.

Leave granted.

The Hon. T. CROTHERS: In an article in the *News* of Wednesday 20 September headed 'We're tops in conventions' the General Manager of the Adelaide Convention Centre, Mr Peter van der Hoeven, is quoted as saying:

> We have definitely made our mark in both the domestic and international markets. We have a good product in Adelaide with the Convention Centre, the Hilton, the Hyatt and now the Terrace.

The Hon. K.T. Griffin: Are you just catching up—

The Hon. T. CROTHERS: Compared with Mr Griffin, I am the winged Mercury. Mr van der Hoeven continued:

> Our product is also geographically good, the climate is right and the pricing is right.

Further on he says that the Adelaide Convention Centre now boasts more international convention bookings for 1990 than Chicago or New York. Those figures referred to are: Adelaide, 20 bookings; New York, 19 bookings; with Chicago having eight bookings. Given that we on this side of the Chamber are often subjected during Question Time to questions from the Opposition on tourism that I have heard others describe as being of a Cassandra-like nature and, further, that the Labor Party has been voted into Government by South Australians for 17 of the past 20 years, the questions I would like to ask are—

The Hon. L.H. Davis interjecting:

The Hon. T. CROTHERS: Yes, Cassandra, Mr Davis: the person you see when you look in the mirror. My questions are:

1. Does the Minister believe that the tourism industry has become more dynamic and therefore more important to the South Australian economy over the past 20 years?

2. What role, if any, does the Minister perceive the State Government has, and has had, in promoting and assisting the South Australian tourism industry, particularly over the past 20 years?

3. How much investment has been committed to tourism projects in South Australia which are scheduled to come onstream in the 1990s?

4. Does the Minister believe that all the pessimistic statements that we hear from time to time from members of the Opposition are in the best interests of, specifically, the

Adelaide Convention Centre or, more particularly, South Australian tourism?

The Hon. BARBARA WIESE: I will address the last question first. I must say that questions which have been raised in this place from time to time have usually been based on spurious or false information relating to organisations such as the Adelaide Convention Centre and other tourism interests in South Australia. That has certainly not been in the least bit helpful in promoting South Australia as a convention destination or, indeed, as a tourism destination.

In fact, members might recall the days early in the life of the Adelaide Convention Centre when the Hon. Mr Davis seemed to make something of an art form of trying to tear down its reputation as a convention facility in Australia of quality and excellence. Fortunately, time cures all ills. During the time it has been open, the work of the Adelaide Convention Centre has now been recognised by everyone in the convention industry within Australia and many people internationally as of the highest quality and standard. In fact, the international organisation of those convention organisers in its most recent newsletter had an article about the convention facilities available in Australia and highly recommended the Adelaide facility above all others in Australia as one where the client could expect the highest possible standards of service with all facilities being conveniently located in and around the City of Adelaide.

The Adelaide Convention Centre has now established its place in the sun and will be in a position to build on that reputation and make sure that South Australia attracts at least, if not more than, what others might consider to be its share of convention business within Australia.

It is true to say that the tourism industry in South Australia has come of age during this past decade. During that time the industry has grown from what was previously a cottage-based industry to one which now enjoys an enormous diversity in accommodation mix and other attractions. With the growing number of international standard facilities that have emerged during the past five or six years, South Australia is now very well placed to promote itself as a new and fresh destination within Australia and also internationally.

The State Government has played a considerable role in achieving those ends and has supported much of the crucial development that has taken place to enable us to promote South Australia in these various marketplaces. There has been significant development, planned or under construction, that relates to tourism facilities during the past 12 or 18 months. In fact, in the 12 months from February 1988 to February 1989 there was an increase in projects, in money terms, from about $200 million to $703 million committed or under construction. That does not include more recent projects which have gained approvals and will shortly begin construction.

Things are moving very well in the tourism industry in South Australia. Some of the gaps in our tourism product will be filled during the next three or four years, partly as a result of the work of Tourism South Australia in helping developers to identify gaps in the tourism product. Once we have a number of those developments in place (as I fully expect we will) South Australia will be in an even better position to promote itself around Australia and internationally to the broadest possible market segments.

In summary, the tourism industry is very healthy. The only unfortunate spectre overhanging the industry at this time is the airlines dispute and the long-term effects that that dispute may have on international visitation to Australia. However, as long as the dispute has a very clear outcome and we are able to put in place appropriate recovery programs in the international marketplace I believe that problem, too, can be overcome.

LOTTERIES COMMISSION

The Hon. L.H. DAVIS: I seek leave to make a brief explanation before asking the Attorney-General, representing the Premier and Treasurer, a question on the subject of Lotteries Commission unclaimed prizes.

Leave granted.

The Hon. L.H. DAVIS: When a lottery prize is won, the winner may present his or her ticket to claim the prize. If the winner does not claim the prize, the Lotteries Commission will automatically send out the cheque 13 weeks later, provided that the name and address are specified on the winning ticket. With many of the new forms of product which are available through the Lotteries Commission, the name and address are not specified on the winning ticket. If the commission has no record of the name and address or if the winner does not cash the commission's cheque, the unclaimed prize money is retained in the commission's prize account until 12 months after the date of the draw. When 12 months have passed, the unclaimed prize money is transferred into a reserve account, which is known as the Forefeited Prize Fund.

Section 16 *(b)* of the State Lotteries Act 1966 provides:

> Where a prize in a lottery has not been collected or taken delivery of within 12 months from the relevant day—
>
> *(a)* the prize is forfeited to the commission; and
>
> *(b)* an amount equal to the value of the prize shall be applied by the commission for the purpose of additional or increased prizes in a subsequent lottery or lotteries conducted by the commission.

That raises the question that the Act does not specify how soon the money should be used after it is paid into the fund. Until December 1984 unclaimed prize money was transferred to the Hospitals Fund Account. For the past five years the unclaimed prize money has passed into the Forfeited Prize Fund and been applied to prize money in subsequent lotteries conducted by the commission.

My attention has been drawn to the extraordinary increase in the amount of unclaimed prize money. In the financial year ending 30 June 1989, unclaimed prize money amounted to $2.6 million which represented about 2.5 per cent of prizes paid. Unclaimed prize money is as follows: Instant Money, over $700 000; Saturday X Lotto, nearly $900 000; Midweek X Lotto, nearly $900 000; and Super 66, over $145 000. As I have said, those unclaimed prizes represent 2.5 per cent of prizes. For Instant Money it was almost 3 per cent; for Super 66 it was over 4 per cent; and for Midweek X Lotto it was well over 3 per cent. These unclaimed prizes have been transferred into the Forfeited Prize Fund, which now stands at nearly $4.8 million. It has increased from $2.5 million in 1986-87 to $3.5 million in 1987-88 and to nearly $4.8 million in 1988-89.

Of the money that is in the Forfeited Prize Fund, little more than half has been applied to prizes. That raises the question as to how soon that money should be applied to additional prizes as required by the Act. I am surprised at the very large percentage of prizes which are unclaimed. It seems to be a growing percentage.

As the figures that I have mentioned reveal, there has been a sharp increase in the number of unclaimed prizes. First, will greater efforts be made to publicise the fact that there are unclaimed prizes that will be forfeited within a due date? Secondly, will the Government re-examine the use of the balance of unclaimed prizes, which currently

stands at over $4.7 million, to determine how soon that money should be applied for the purpose of additional or increased prizes in lotteries, as required by the Act, given that at the moment not all of it is being used? Thirdly, will the Government re-examine the possibility of directing those unclaimed prizes to the Hospitals Fund rather than for the purpose of additional or increased prizes?

The Hon. C.J. SUMNER: I will refer the question to the Premier and bring back a reply.

SCHOOL COMPUTERS

The Hon. M.J. ELLIOTT: I seek leave to make a brief explanation before asking the Minister of Local Government, representing the Minister of Education, a question about tenders for school computers.

Leave granted.

The Hon. M.J. ELLIOTT: I have had a range of complaints over the years about tendering processes both in the Education Department and elsewhere. In the past couple of days I have had another brought to my attention. Apparently, in the first quarter of 1989 schools were allocated moneys for the purchase of administrative computers at a cost of about $4 000 to $5 000 each. They were told to hold the money until given permission to spend it on approved computers. In April 1989 State supply issued a tender call No. 418/89 for computers for schools administration. This tender closed on 9 May.

On 18 September 1989 a tender unsuccessful letter stated that tenders would be called again in late 1989-90. During the last week of term three this year various schools were informed by personnel from the Information Technology Branch that the recommended computers were the NEC Powermate and the EETO and that special deals had been organised with selected suppliers for the provision of the said computers. In addition, a similar recommendation was given for printers. One school principal who inquired about the spending of the previously mentioned administration grant was told that he could use this grant. He was later told, after making a purchase, that this permission would not be put in writing but that he should use creative accounting to cover this up. My questions to the Minister are:

1. Does the Minister feel that this circumvention of the tendering process is ethical? Should the Information Technology Branch, at the very least, have approached all people who put in tenders rather than just giving a recommendation, albeit a verbal one, in relation to one specific machine from a particular supplier?

2. I belive that a locally produced computer is available and, in fact, was involved in the tender, so what does this say about the State Government's policy of supporting local manufacturers where a comparable quality product is available?

3. Does the Minister agree that in this case each of the imported NEC systems purchased, as opposed to the locally produced product, would add at least $1 000 to Australia's balance of trade problems and does this concern the Minister?

The Hon. ANNE LEVY: I will refer those questions to my colleague in another place and bring back a reply.

DISASTER PREPAREDNESS

The Hon. R.J. RITSON: I seek leave to make a brief explanation before asking the Minister representing the Minister of Emergency Services a question about disaster preparedness.

Leave granted.

The Hon. R.J. RITSON: All members are sadly aware of the recent tragic earthquake in San Francisco. Naturally enough, this has produced much press comment including a press report of remarks made by the Minister of Emergency Services on the state of preparedness for such an event or any event causing hundreds of casualties. The Minister expressed general satisfaction with the state of preparedness of South Australia. Obviously in any disaster human resources are very important, particularly the availability of large numbers of people trained in first aid. It is a fact—and members can verify this by referring to the select committee report—that the numerical strength of the St John brigade of South Australia is several fold greater—in fact, many times greater—than in those States where St John does not provide an ambulance service; and indeed involvement with the ambulance service is an important part of the recruitment and maintenance of skills in the brigade.

It is widely believed that, if St John detached itself from the ambulance service as a result of harassment and bad behaviour on the part of a small number of fanatical unionists, our brigade strength would fall dramatically; by hundreds, if not more than a thousand. Is the Minister's satisfaction with South Australia's preparedness for a disaster based on things as they are, including the large number of trained St John first aid workers and teachers of first aid? If so, will he become less satisfied with our preparedness if, as expected, the brigade is allowed to decay in future years? If the Minister accepts that decay of the brigade will contribute to an erosion of our preparedness for disasters, what steps does he have in mind to encourage and maintain the St John brigade as an organisation and its involvement in the ambulance service which, of course, is directly connected to its recruiting and its strength?

The Hon. C.J. SUMNER: There is no suggestion that the St John brigade will be degraded. However, I will refer the honourable member's question to the Minister and bring back a reply.

POWER SURGE

The Hon. J.F. STEFANI: I seek leave to make a brief explanation before asking the Minister representing the Minister of Mines and Energy a question about the damage to appliances by power faults.

Leave granted.

The Hon. J.F. STEFANI: A power surge in May led to damage to domestic appliances. In some cases the damage bill exceeded $1 000. There has been a dispute between ETSA and an insurance company because the breakdown initially occurred when a tree was felled by a householder and a limb fell on the power line. However, it is claimed that ETSA connected the line incorrectly and that the power surge occurred some 20 minutes after the reconnection and was due to an omission or error by ETSA in making the reconnection. Will compensation be paid to householders in the Felixstow area for damage done to their domestic appliances as a result of the power surge in the ETSA supply in May this year?

The Hon. BARBARA WIESE: I will refer the honourable member's question to my colleague and bring back a reply.

LOCAL GOVERNMENT ADVISORY COMMISSION

The Hon. J.C. IRWIN: I seek leave to make a brief explanation before asking the Minister of Local Government a question about the Local Government Advisory Commission.

Leave granted.

The Hon. J.C. IRWIN: My attention has been drawn to an article in the *Messenger* press of this week circulating in the western suburbs headed, 'We're fed up' and referring to matters before the Local Government Advisory Commission involving the councils of West Torrens, Woodville, Henley and Grange. The article states that the western council boundary review should be dumped as, in the words of the chief executive officers of the three councils involved, it has proven 'futile and disruptive'. The three councils have spent more than $100 000 on their campaigns. The chief executive officers met last Wednesday and agreed that the three councils should no longer pursue the two-year old proposals in protest at Government inaction. This includes the setting up of the review committee by the Minister of Local Government. The Minister of Local Government is reported to have said that, if the review committee recommends any changes, all existing proposals before the Local Government Advisory Commission would be reconsidered.

The Chairman of the Western Region of Councils, Mayor John Dyer, said, 'If legal opinion supported councils dropping the review I would certainly suggest we withdraw.' He then went on to say, 'I believe the whole exercise has had a disruptive and destabilising influence on the western region.' I understand that the Crown Law Department is investigating whether the three councils can legally drop the issue and withdraw from the commission. Does the Minister know who initiated the move for Crown Law to investigate the legality of councils withdrawing from the Local Government Advisory Commission hearings? Has the Minister or any member of her department had discussions with the three councils regarding this matter?

The Hon. ANNE LEVY: I am aware of the facts quoted by the honourable member but, of course, any decision or comment made by chief executive officers of councils does not necessarily represent the views of councils. Only councils themselves can determine the views of councils. I have heard that a question has been asked of the Crown Law Department on this matter but certainly it was not initiated by me, as the matter has not been drawn to my attention in any formal way at all.

I understand that one member of the Department of Local Government has had discussions. I do not know whether it is with all three councils but certainly it was with one or two of them, following, and as a result of, the publication of that article. However, there was no initiation of the topic on the part of the department. The first indication was the publication of the article to which the honourable member has referred, and the source of its information is not known to me.

The Hon. J.C. IRWIN: As a supplementary question, can councils approach the Crown Law Department for advice, and does the Minister agree that private legal advice, not Crown Law advice, should be sought by the council concerned?

The Hon. ANNE LEVY: It is not within the power of councils to approach the Crown Law Department for advice. If councils wish legal advice they should obtain it either privately or through the Local Government Association.

CHILD-CARE SERVICES

The Hon. DIANA LAIDLAW: I seek leave to make a brief explanation before asking the Minister of Local Government, representing the Minister of Children's Services, a question about occasional child-care services.

Leave granted.

The Hon. DIANA LAIDLAW: I wish to raise a serious problem in respect of the provision of occasional child-care services across South Australia, particularly the provision of occasional quality child-care services. Such services are an important facility in providing home based parents with the opportunity to take a break or to attend training, retraining or further education courses, to attend appointments or to go shopping unhindered by children in tow. The problem in respect of the provision of child-care has been highlighted in recent weeks following the launch a short time ago by the Federal Government of its latest employment initiative, Jobs Education and Training (JET).

This program is specifically designed to help get sole supporting parents back into the work force. However, it is physically and financially impossible for such sole supporting parents to participate in JET, let alone the work force, if they cannot obtain affordable occasional care for their children. The management committee of the Catherine Helen Spence Occasional Child-Care Centre, a centre specialising in the provision of occasional child-care, has written to the Minister, to Dr Blewett (the Federal Minister) and to me, amongst others, describing the lack of ongoing financial support directed to the provision of occasional child-care services as 'a serious recipe for disaster'.

The management committee talks about the need for immediate consolidation of existing services in preference to directing funds to the provision of new services. It calls for fee relief for occasional care to be increased in line with increases awarded for long day care and family day care; for operational subsidies to be increased to take into account increases in the CPI; and for additional funds to be made available to provide for long overdue award wage increases for child-care workers.

In addition, the management committee of the centre states that it has worked hard to increase its utilisation rate since its establishment some short time ago; that its service is meeting a crucial need in the community which has never been met in the past; and that it expects to reach optimum utilisation consistently over the 40-hour period within a short time. In the meantime, the management committee requests additional support in respect of participants in the JET scheme. It argues that a 10-block week of full-time care should be considered as occasional care because it is a one-off use for participation in the JET program.

However, the committee has met with repeated stalling by both Federal and State authorities because of inflexible regulations, and has pointed out that it is turning away the children of parents who are keen to participate in the JET scheme yet cannot find occasional care at other centres, nor at the Catherine Helen Spence Occasional Child Care Centre, which has vacancies at present.

In view of the current long waiting lists for child-care in South Australia, will the Minister consider with favour the submission by the centre to make an exemption from the current licensing provisions to allow the centre to accept, on a 10-week block, the children of participants in the JET program? Does he consider that the dilemma highlighted by the centre warrants a review of the current regulations for licensing of occasional child-care centres to allow greater flexibility in the hours and arrangements for accepting children into care?

The Hon. ANNE LEVY: I will refer those questions to my colleague in another place and bring back a reply.

HENLEY AND GRANGE COUNCIL

The Hon. R.I. LUCAS: Has the Minister of Local Government an answer to the question I asked yesterday about the Henley and Grange council?

The Hon. ANNE LEVY: I am advised that no officer of either the Local Government Advisory Commission or the Department of Local Government has recently discussed a review of ward boundaries with the West Torrens council. I understand that the Chief Executive Officer of West Torrens council confirms this statement but has not revealed the identity of anyone who may have spoken to him before he made his comment to the meeting of the West Torrens council on Tuesday of this week. The periodic review of ward boundaries in the West Torrens council area is not scheduled to be undertaken until 1991-92.

EQUAL OPPORTUNITY ACT AMENDMENT BILL (No. 4)

The Hon. C.J. SUMNER (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Equal Opportunity Act 1984. Read a first time.

The Hon. C.J. SUMNER: I move:

That this Bill be now read a second time.

It seeks to amend the Equal Opportunity Act 1984 to prevent certain kinds of discrimination based on age. The Government is committed to addressing the issue of discrimination on the ground of age. In June 1987, the Minister of Employment and Further Education established a Task Force to monitor age discrimination in employment. The Task Force comprised the Commissioner for Equal Opportunity, the Commissioner for the Ageing, and the Director, Office of Employment and Training.

The Task Force reported in March 1989. It concluded that there was sufficient evidence to justify the introduction of legislation aimed at improving societal attitudes in the area of age discrimination and to set a legal context for handling grievances. The Task Force's consultations and research found evidence of discrimination in employment, retirement practices, the provision of goods and services, accommodation and education.

The Task Force had a wide range of examples of discrimination drawn to its attention. Some of these reflected insensitive management or bad client service practices but there were many examples where age was being used as an indirect and inappropriate criterion when other more specific criteria were available. The use of age as a criterion in employment was found to be very common, ranging from the protection of workers' benefits to advertisements for vacancies. For example, a survey of advertisements in the Situations Vacant columns over three days indicated approximately 100 positions that contained a specific age requirement.

These often discriminated against both younger and older persons as 'experience together with youth' requirements tended to result in a demand for persons in the 25-35 year age group. Concerns in the area of education and training tended to relate to the lack of educational opportunities to support changes in career path and to circumstances that worked against employed, mature aged persons undertaking studies for formal employment.

A number of persons were able to cite examples of employer policies restricting access to training programs for older employees. In addition, in relation to educational opportunities at the Further and Higher Education level, there was a perception amongst older persons that priority for positions is given to younger applicants. There was also a strong feeling from mature age unemployed persons possessing tertiary qualifications that this frequently limited their capacity to gain employment as they were perceived to be over-qualified for many areas of employment.

The issues of early and mandatory retirement were also brought to the attention of the Task Force. Some employers use retrenchment and early retirement as a means of reducing the labour force, notwithstanding the contribution that can be made by dispossessed workers. Many workers feel that, at 60 or 65, they have a productive role to play and mandatory retirement robs the community of a valuable contribution and the individual of self-worth and income. Whether the removal of the retirement age would produce consequential employment or societal difficulties was not clear from the Task Force's investigations. However, the Task Force noted that the view that the abolition of mandatory retirement would have only a small impact on labour force participation rates has been gaining currency.

The Task Force recognised the broad ramifications of changes in current retirement practices and has recommended that a detailed examination of these complex issues be undertaken. Considerable legislation already exists relating to the provision of goods and services. Much of this discriminates by age. To a large extent this reflects societal standards, for example, minors' use of alcohol, driver licences and firearms, as well as certain life assurance processes.

From examples drawn to the attention of the Task Force, however, it appears that age is used as the sole and often inappropriate criterion for the provision of some goods and services, for example, accommodation, property insurance, health insurance, banking and finance, health and welfare services, entertainment and club membership.

The recommendations of the Task Force were:

(1) that age be included as a ground of discrimination under the Equal Opportunity Act in all the areas covered by the legislation,

(2) that existing legislation which contains age related provisions be exempt from the Act for a period of two years,

(3) that two working parties be established, one to address retirement and the other to review all State legislation, regulations, etc., and recommend appropriate changes to give effect to legislative exemptions,

(4) that the Task Force commence consultations with employers and union services and accommodation providers on the implications of the introduction of the legislation.

This Bill has been based on the recommendations of the Task Force. The Task Force Report and the draft Bill were released by the Minister for the Aged in September 1989.

Members of the public were invited to comment on the proposals. In addition, members of the Task Force held meetings with representative groups to obtain their views on the Bill. There has been widespread support for the Bill in principle. However, a number of groups have requested a longer consultation process.

The Government is keen to meet its commitment to members of the community to introduce the legislation as

it believes that reform in this area is both necessary and desirable. However, it has heeded the views of a number of representative groups that the consultative process should be slower. The Government does not want to prejudice the proper assessment of all issues involved by the hasty and untimely passage of this legislation.

The Government is pleased to observe that a group of interested parties, namely, the South Australian Council of the Ageing, the United Trades and Labor Council, the Employers' Federation, the Chamber of Commerce and Industry, The Council of Pensioners and Retired Persons, the DOME Association, the Youth Affairs Council of S.A. and the S.A. Council of Social Services, have been meeting together in a joint consultative process. I congratulate such groups for working with the Government in an effort to obtain an agreed position on the Bill. Members of the Government have met with these representative groups and it was decided that in the interests of promoting further community debate on the Bill, it should be placed in the public forum, by virtue of its introduction into Parliament.

In introducing the Bill, I take the opportunity of advising members and the public that the Government welcomes further submissions on the Bill and advises that further consultation will continue under the auspices of the Task Force. The Government will consider submissions received with a view to obtaining a Bill which is sensitive to the growing community expectations.

Already a number of submissions for amendment have been received. I advise that the Bill as introduced is in the same form as the one which has been the subject of public consultation. However, this is not to say that submissions received to date have not been noted. Where appropriate the Bill will be amended and, if necessary, the Bill will even be redrafted, although from the consultation to date I do not expect that this will be required.

In order to allow a full consultation process to occur, I advise that this Bill will not be proceeded with until the first session of Parliament next year. The Government is confident that this exercise will result in a Bill capable of wide community acceptance.

With respect to the provisions of the Bill, I advise that it provides for age to be a ground of discrimination in employment, in education and in relation to land, goods, services and accommodation. It also deals with discrimination by associations and qualifying bodies. The Bill also includes a provision to prohibit discrimination against a person because he or she is accompanied by a child. This provision will apply to the provision of goods and services and accommodation.

A number of exemptions are provided to reflect special considerations associated with age, for example, in the areas of:

insurance;

competitive sporting activity; and

concessional admission fees and fares.

Proposed section 85f sets out exemptions in the area of employment. The Bill contains a specific provision so that compulsory retirement is not made unlawful at this time. The provision has a sunset clause of two years from the commencement of the operation of the Act. This will allow time for thorough examination of the issues relating to compulsory retirement.

In addition, the Government will review all legislation and regulations which contain age related provisions. It will examine the need for amendments to remove inappropriate references to age; and the development of consistency in areas where age remains a ground for legislative action. The Government accepts that in some cases age limits will be required, certainly, for example,

to protect minors—that is legislation that reflect societal expectations for the protection of persons of certain age groups; and

legislation to promote the interests of disadvantaged groups or designed to benefit persons of a particular age group.

Therefore, the draft Bill does not seek to alter age limits specified in existing legislation. However, it inserts a provision which requires the Minister to report to Parliament within two years on all legislative provisions dealing with age. This will allow time for a proper assessment to be made of the provisions. The report must contain recommendations as to whether or not the legislative provisions on age should be amended or repealed.

The Bill also includes a provision on an unrelated topic, namely, foreign qualifications. The Bill provides that authorities or bodies that confer authorisations or qualifications to practise a profession or carry on a trade or occupation would be guilty of discrimination on the ground of race, if they fail to inform themselves properly on overseas authorisations or qualifications of applicants for positions. I commend this Bill to members. I seek leave to have the detailed explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clause 1 is formal. Clause 2 provides for the commencement of the measure. Clause 3 amends the long title of the principal Act to include a reference to 'age'.

Clause 4 amends section 11 of the principal Act to extend the Commissioner's functions under that section to fostering and encouraging informed and unprejudiced attitudes with a view to eliminating discrimination on the ground of age.

Clause 5 relates to the recognition of qualifications or experience gained outside Australia. Under the proposed new provision, an authority or body empowered to confer an authorisation or qualification in respect of the practice of a profession or the performance of work will discriminate against a person on the ground of race if the authority or body fails to take proper and adequate notice of qualifications or experience gained outside Australia and, in consequence of that failure, refuses to confer a particular authorisation or qualification.

Clause 6 inserts a new Part VA into the principal Act. Section 85a sets out the criteria for establishing discrimination on the ground of age (and is consistent with other provisions of a similar nature throughout the Act). Section 85b will make it unlawful for an employer to discriminate against a person on the ground of age where the person is applying for employment with the employer, or is an employee of the employer. Section 85c will make it unlawful to discriminate against an agent on the ground of age. Section 85d will make it unlawful to discriminate against a contract worker on the ground of age. Section 85e will make it unlawful to discriminate against a partner within a partnership on the ground of age.

Section 85f sets out the various exemptions to the provisions relating to employment. The provisions will not apply in relation to employment in a private household, to situations where there is a genuine occupational requirement that a person be of a certain age or age group, or where the person's age could affect safety at work. The provisions will also not apply to acts done under industrial

awards or agreements, or to discriminatory rates of salary or wages payable according to age.

Section 85g provides that, after the expiration of one year from the commencement of the new Part, it will be unlawful for associations to discriminate against an applicant for membership, or a member, on the ground of age. However, the provision will not apply where an association has, on a genuine and reasonable basis, established various categories of membership or where it is reasonable that a particular service or benefit be provided to a particular age group. Section 85h relates to qualifying bodies and section 85i to educational bodies.

Section 85j will make it unlawful to discriminate against a person on the ground of age in relation to the disposal of, or dealing with, an interest in land. Section 85k applies to the provision of goods or services, but will not regulate various scales of fees or fares, or the terms or conditions on which a ticket is issued or admission is allowed to any place. Section 85*l* applies to the provision of accommodation. Sections 85m to 85q set out various general exemptions from the operation of the new Part.

Nothing in the Part will derogate from the law that relates to the juristic capacity of children, or affect the provisions of a charitable instrument. The Part will not render unlawful any scheme or undertaking initiated to meet the special needs of a particular age group, and will not affect competitive sporting activities. Special provision is also made for insurance and superannuation schemes. New section 85r will require the Minister to prepare a report for Parliament on the Acts of the State that provide for discrimination on the ground of age. Clause 7 sets out various consequential amendments to section 100 of the principal Act.

The Hon. DIANA LAIDLAW secured the adjournment of the debate.

APPROPRIATION BILL

In Committee.

(Continued from 18 October. Page 1248.)

Clause 4—'Issue and application of money.'

The Hon. M.B. CAMERON: Mr Chairman, I draw your attention to the state of the Council.

A quorum having been formed:

The Hon. ANNE LEVY: I wish to give some information on educational matters which were raised by the Hon. Mr Lucas in the second reading debate and to which reference was made yesterday. Dealing first with the questions on education, I understand that a member of staff of the Minister of Education spoke with the Hon. Mr Lucas this morning to clarify the information that the Hon. Mr Lucas still sought. As a result, I am able to provide the following information. With regard to the literacy audit, the cost to the Education Department of the WRAP project is $250 000 per annum over three years. Secondly, the proportion of children involved is 6.05 per cent of year 6 and 6.68 per cent of year 10. With regard to country schools providing eight PES and eight SAS subjects, this information will take some time to compile, but it will be provided to the Hon. Mr Lucas as soon as it becomes available.

With regard to the number of officers processing accounts, the answer is 21.1 full-time equivalents. With regard to schools that have sold or are considering selling land and to schools that are involved in negotiations or discussions about closures, amalgamations or cooperative arrangements, the advice I received yesterday was not quite correct. The correct answers are as follows and, as they are very lengthy (mainly tables), I seek leave to have the answers incorporated in *Hansard* without my reading them.

Leave granted.

REPLIES TO QUESTIONS

The following is a summary of schools involved in discussions about closures, amalgamations or cooperative arrangements for the Adelaide, Northern and Southern Areas of the Education Department:

Adelaide Area

Reconfiguration for 1990

- Thebarton HS
- Croydon PS and JPS (amalgamation)

Reviews

- Western suburbs secondary schools
- Plympton HS

Southern Area

Reconfiguration

- Seaview HS (former Seacombe HS and Dover HS)
- Rapid Bay and Delamere RS
- Blackwood PS and JPS
- Forbes PS and JPS

Curriculum Cooperation

- Brighton HS and Mawson HS

Northern Area

Amalgamations

- Strathmont HS and Gilles Plains HS (to form Windsor Gardens HS)
- Elizabeth HS and Playford HS (to form Elizabeth City HS)

Possible Amalgamations (discussions only being held)

- Elizabeth Vale PS and JPS
- Elizabeth West PS and JPS
- Klemzig PS and JPS
- Wandana PS and JPS

The Elizabeth-Munno Para College of Secondary Eduction

School members of this college are:

- Elizabeth City HS
- Elizabeth West Adult Re-entry School
- Smithfield Plains HS
- Craigmore HS
- Fremont HS
- Kaurna Plains Aboriginal School

The Ingle Farm/Para Vista Schools Rationalisation Project

- Ingle Farm PS, Ingle Farm Central PS, Ingle Farm East PS, Ingle Heights PS, North Ingle PS, Para Vista PS, Para Vista JPS, Ingle Farm HS and Para Vista HS

The Salisbury West Post-Compulsory Restructure Project

- Parafield Gardens HS
- Paralowie R-12 School
- Salisbury HS

The following are schools or portions of school sites which have been sold in the 1988-89 financial year, and which have been (or are intended to be) disposed of in the 1989-90 financial year:

Disposals completed 1 July 1988 to 30 June 1989:

	$
Blinman Land Lot 166	242
Dover Gardens PS (portion)	98 980
Grange North Exchange	145 500
Kidman Park PS (portion)	72 750
Kings Park Special Unit	315 695
Lenswood, Main Street	48 712
Oaklands Park PS	3 685 144
Parafield Gardens PS (portion)	36 760
Paralowie, Barassi St	80 510
Prospect Woodwork Centre	64 028
Raywood Inservice Centre	1 480 000
Sherlock PS	23 750
St Morris PS (portion)	232 800
Thorndon Park PS (portion)	41 170
Truro School Residence	28 067
Vermont HS	3 250 462
Total	$9 604 570

Disposals completed 1 July 1989 to 30 September 1989:

	$
Daws Road HS (portion)	50 662
Fulham PS	2 425 000
Total	2 475 662

Contracts signed—not completed 1 July 1989 to 30 September 1989:

	$
Port Broughton AS (part)	18 500
Wattle Park Centre	2 780 000
Total	2 798 500

Disposals in progress:
Arthurton RS
Black Forest PS (balance)
Blackwood JPS (lot 48)
Ceduna Old PS (portion)
Copeville RS
Elizabeth Field PS (portion)
Furner School (closed)
Henley HS Oval
Kingoonya PS
Klemzig JPS
Lochiel RS
Magill SS
Mindarie RS
Mount Gambier Mulga Street PS
Murray Bridge Ridge Road
Gilles Plains HS (portion)
Reynella PS
Sturt Triangle Land
Victor Harbor Land

The Hon. ANNE LEVY: The remaining questions discussed with the Hon. Mr Lucas have been taken on notice and will be answered in due course.

Turning now to outstanding questions with regard to Further Education, asked by the Hon. Mr Lucas this morning, the first relates to profit and the College Arms Hotel. The answer is as follows:

The operator and tenant of the College Arms Hotel, 114 Currie Street, Adelaide is the College Arms Training Co. Pty Ltd. This company is registered under the Companies (South Australia) Code. Equal shareholders in the company are: the Federated Liquor and Allied Industries Employers Union of South Australia; the Minister of Employment and Further Education; and the Hotel and Hospitality Industry Training Foundation of South Australia, which is a body of the Australian Hotels Association (South Australia) Branch.

The hotel has been operating since 7 November 1988 and the accounting firm of Pannell Kerr Forster have recently completed a set of accounts for the year ending 30 June 1989. The Board of Directors of the College Arms Training Co. Pty Ltd invited the Auditor-General to be the auditor of the company, and he has subsequently appointed the firm of Coopers and Lybrand to carry out the audit. I understand that the firm of Coopers and Lybrand are in the final stages of this report to the Auditor-General. The company has an obligation to submit an annual return within eight months of the completion of the final accounts, in line with the requirements of the Companies Code.

The Director/Secretary of the company, however, has informed me that turnover has exceeded initial expectations: average weekly turnover is currently $21 500, compared to the initial budget forecasts in the feasibility study of $14 500 per week. Gross profit for liquor is within industry standard at 65 per cent whilst the gross profit on food is above industry standard at 66 per cent. Wage percentage, as expected, is higher than the industry standard, because of the training element operating throughout the hotel. A number of innovative training projects and programs are currently in operation and the results are being fed into the industry at large.

The next question related to business studies and unmet demand and the reply is as follows: three measures can be applied to determining the level of increase in demand: first, enrolments; secondly, student hours; and, thirdly, unmet demand.

With respect to enrolments, the methodology used in collection of data for 1988 has been altered and therefore is not comparable with prior years' data. However, statistics available on student hours and unmet demand are comparable with prior years' data.

Student Hours[1]	
1987	2 016 974
1988	2 166 665

Unmet Demand [2]	Course Places	Subjects
1988	1 401	1 726
1989	2 597	1 975

[1] 1989 data will not be available until after the end of the calendar year.
[2] 1989 data available as collected at the commencement of the calendar year.

The next question related to the use by Ministers of Applied Learning Systems video facilities at the Adelaide College of TAFE. The reply is as follows:

Adelaide college's records show that the only Ministers to use the Centre for Applied Learning Systems have been the Hon. Lynn Arnold when he was Minister of Employment and Further Education and myself.

I presume that that means the current Minister of Employment and Further Education. The next question concerns the cost of extending the youth offer to 15 to 19-year-olds. The response provided is as follows. It is important to stress that some components of the youth strategy do target 15 to 19-year-olds. For instance, increased traineeships, increased pre-vocation course places in TAFE, the expansion of the youth employment program, the funding of two new group training schemes, and the establishment of the youth unemployment support program, will all provide opportunities for 15 to 19 year olds. The outreach work in the five geographically targeted youth resource centres is targeted at 15 to 17 year olds who are completely outside the mainstream system.

The aim is to provide appropriate advice and support to these young people and to ensure adequate flexibility in the system to enable them to take up opportunities in education, employment, training or some combination of the three. To extend these services to 15 to 19 year olds in those regions would require the allocation of additional staff resources at an estimated cost of an additional $150 000, and an increase in the youth strategy grants of an estimated additional $130 000.

Lastly, the question is, 'Was the $25 million announced in 1985 for the YES (Youth Employment Scheme) all spent?' The response I have been given states that during the course of the Estimates Committee debate, Mr Evans asked a question in relation to the YES program. Subsequently, substantial information in a tabular form was provided as an answer to his question. The information shows that not only did the Government spend the $23 million over three years of the YES program that it promised in 1985-86 but in fact significantly exceeded this and spent over $28.5 million. As well, the information supplied showed clearly that, rather than the 18 000 employment and training opportunities which was the target, over 26 500 were actually achieved in the three-year period.

At another point during the Estimates Committee, Mr Goldsworthy asked how much of the $23 million was actually spent. The above additional information demonstrates clearly that not only was the $23 million spent but also an additional $5.5 million. In his question Mr Evans also said, 'In last year's Program Estimates at page 203 it is stated that a breakdown of the specific program is available in the YES taskforce report. Is the Minister prepared to make that report available?' As to the request to release the task force report, the task force was a group of senior public servants set up to monitor the progress of the program and inform the Minister concerned. As such it was clearly a matter of internal workings and little purpose would be served in releasing it. The essential material it contained was the results of the program, and this is apparent in the material that has already been laid before the Parliament. If the Hon. Mr Lucas has any further questions he wishes to raise—as I understand he does—I can say on behalf of the officers of the Education Department and the Department of Further Education that any answers will be provided as soon as reasonably possible.

The Hon. R.I. LUCAS: I thank the Minister for her endeavours over the past 24 hours in this debate. I am not sure whether there are TAFE officers present now. If there are, I indicate that, whilst I intend to make some comments about the matters I raised last evening, and matters that the Minister has raised this afternoon, and whilst I do intend to put a series of questions on notice, I will not be seeking replies from officers present today. I believe the questions are not of the nature that could be replied to even if the officers were sitting by the Minister. If the Minister wants to indicate to those officers that they could undertake more productive employment this afternoon than watching the proceedings of the Legislative Council, she might like to do so.

I wish to make an initial comment about the cumbersome procedures that are incurred in the Legislative Council in relation to the Committee stage of the Appropriation Bill debate. Last evening, I made some comment about it, and I want to take a couple of minutes this afternoon to further those comments. Given the way in which the Parliament works at present, with a shadow spokesperson or shadow Minister in the Legislative Council and with the House of Assembly Estimates Committee being privy only to members of the House of Assembly, procedures are such that members of the alternative Government must use our colleagues in another place during the Estimates Committee to assist us in eliciting information from Ministers in our own portfolio areas.

So, in my areas of education, employment, technical and further education, children's services and youth affairs, whilst my dearest wish would be to be able to put questions to the Minister—and to the senior departmental advisers in particular, that of course is currently not possible. So, the procedures are such that in this Chamber the only opportunity—

The Hon. Barbara Wiese: If you change Houses you will—

The Hon. R.I. LUCAS: No, then I would have to leave you, although I understand that the Minister has bought a house in a safe Labor seat and may well be preparing the ground for a similar move.

The CHAIRMAN: Order! The Hon. Mr Lucas will address the Chair.

The Hon. R.I. LUCAS: We were just discussing the future leadership positions of the Minister of Tourism, but I do not think that is a matter for the Appropriation Bill debate. The procedures open to us are that, during the second reading debate of the Appropriation Bill, we can speak at length in relation to the Bill. Many of us have taken the opportunity to try to expedite proceedings in this Chamber so that we do not hold them up, and that view is shared by all members of this Chamber. Rather than wait until the Committee stage, we put a series of questions during the second reading debate. As I understand it, a strict reading of the Standing Orders of this Chamber may mean that that is perhaps not strictly the technical way in which we ought to go about our task. In the interests of expediting the procedures in the Chamber, that is a procedure we have adopted, and certainly I have adopted it over a number of years in Appropriation Bill debates. It is one that I undertook on this occasion when I spoke on Tuesday in the second reading debate.

As I said at the outset, I therefore understand the messy nature of this debate in the Legislative Council. I thank the Minister of Local Government, who has spent some time over the past 24 hours, together with the respective officers of the two Ministers involved—the Minister of Employment and Further Education and the Minister of Education—in trying to gather responses to the series of questions that I have put on those portfolios.

From discussions I have had with the Ministerial officers, I accept that they still cannot provide responses to a number of questions at this time. They indicate that officers are preparing those answers and that they hope that early next week I should receive the answers to all the questions that I have already put during the debate.

Before addressing comments to some of the questions which have been raised, I want to put on further notice several questions in the area of education. Again, I do not wish to hold up the proceedings and I would be relaxed about the Minister forwarding replies by letter at some future stage. The first question relates to the multicultural education task force. The reference is page 195 of the Program Estimates. What are the recommendations of the multicultural education task force and which ones have been or are to be implemented?

The second area relates to the languages development plan. I have already given notice in relation to a number of other questions on the languages other than English (LOTE) program. At page 195 of the Program Estimates there is a reference to a review of the languages development plan. What were the results of the review of the languages

development plan? How many LOTE salaries will be required by 1995 to meet the Government's promise that all primary students will have the opportunity to study a language by 1995? The second question on the languages development plan may or may not cut across one of the other questions I have already asked. It depends on how the response is prepared. However, I will list the question for the Minister's consideration. Will the Minister provide a breakdown for 1989 and 1990 of the current LOTE salaries amongst schools? The Minister's officers last year on notice provided a breakdown of the 1988 and 1987 LOTE salaries amongst schools so that we could see the distribution of LOTE salaries throughout the Government education system.

The third area is in relation to the English as a second language review, and the Program Estimates reference is page 194. Will the Minister indicate which 12 recommendations of the ESL review have not been implemented?

The next area relates to the Gilding Report about which there has been a recent announcement by the Minister of Education and the Minister of Employment and Further Education regarding the costing of that report. Information provided to the Liberal Party indicated that the costing of the implementation of the Gilding report had been estimated at $7.3 million. In the statement released by the Ministers last week there was an indication of the first year cost of implementation of the Gilding report of about $1.5 million.

Will the Minister confirm that the total eventual cost of implementing the Gilding report will be $7.3 million and, if it is not that figure, what is the total estimated cost of implementing the Gilding report? Will the Minister also give a breakdown of the $7.3 million, or whatever the appropriate figure is, for the implementation of the Gilding review? In particular, will the Minister indicate the estimated costs over that period to the non-government sector? Will the Minister also indicate whether the Government will pick up the total cost over that period for the non-government sector for the implementation of the Gilding report?

Also in relation to the Gilding report, will the Minister indicate the estimated cost—I suppose this would have to be provided by SABSA—if the Government were to implement public examinations at year 11 level (or what in 1992 and onwards will be stage 1 of the South Australian Certificate of Education) in roughly the same proportions as the public examinations comprised in the current year 12 subject choice in our schools? I am not sure whether SABSA will be able to provide that information. I understand that it would be an expensive option to go down that path, but if SABSA could provide an estimate of the cost of the use of public examinations at the year 11, or stage 1, level of the Gilding report, I would be interested to see that estimate.

In relation to the Minister of Employment and Further Education, there is a specific matter about which I want to pose a number of questions on notice. It relates to a redundancy package which is currently being negotiated for a former senior staff member of the South Australian College of Advanced Education. Obviously, I do not expect responses on these matters today. Again, I hope that the Minister will consider these matters, refer them to the South Australian College of Advanced Education, and provide a response by letter in due course. The questions are as follows:

1. What were the circumstances in which a Mr M. Taliangis left the employ of the South Australian College of Advanced Education?

2. Did Mr Taliangis work through any period of notice and, if so, how long was that period?

3. Did Mr Taliangis receive any payment other than outstanding salary, leave payment or superannuation when he left the employ of the college and, if so, what amount and form of payment was made to him?

4. If such a payment has been made to Mr Taliangis, from which budget line was it drawn and has the payment affected the availability of funds to meet any other applications in 1989 for early retirement or redundancy?

5. Has Mr Taliangis's position been abolished or disestablished, and, if so, when was that position abolished or disestablished and on whose authority?

6. Who is undertaking the work previously carried out by Mr Taliangis and what title has been given to that person?

7. How and for what period was that person appointed and what salary is being paid to him or her?

8. How many other officers above the rank of CA4 from the Resources Directorate have left the employ of the college since 1 July 1988, and what were the reasons for their departure?

9. Is there a written and promulgated policy covering departures from the South Australia College of Advanced Education's employ, such as that of Mr Taliangis?

I now refer to the responses that the Minister provided this afternoon and last evening from the Minister of Employment and Technical and Further Education. In relation to the Youth Employment Scheme (YES), the Minister indicated that a detailed response had been provided to Mr S.G. Evans, member for Davenport, in another place. I have been in contact today with Mr Evans, who has provided me with copies of what he says are all the replies that have been provided to him by the respective Ministers of Education and Employment and Technical and Further Education. That response is not numbered amongst them. If possible will the Minister provide a further copy of that response to me some time later today?

In relation to the answers to questions that I raised regarding the education portfolio, there are a couple of matters on which I would like further clarification—and again, not necessarily this afternoon. One relates to country schools that are being reviewed. Is the Minister able to give me the actual response provided by the Minister of Education's officers, because in the way that *Hansard* has reproduced the reply made by the Minister last evening, it is a little unclear exactly which schools are being reviewed during 1990 and which schools are involved in the clustering arrangements. There are a couple of classifications in the responses that the Minister read out last evening, and in the *Hansard* transcript it is not clear to me exactly which schools fit into which classifications. Will the Minister provide a copy of that response from the Minister of Education in order to make that matter clearer to me?

I now turn to the response that the Minister gave today in relation to what I labelled as question No. 9 on Tuesday. It concerned those schools that had sold or were considering the sale of portions of their land on the school premises. In the Minister's response today she indicated that there was a long list of schools which she incorporated in *Hansard.* She also indicated, I thought, that the response she had given last night in relation to school closures or reconfigurations had been misleading or incorrect and that she was providing further information. Again, I will seek from the Minister, some time later this afternoon a copy of that response. I do not wish to hold up the procedures of the Committee stages of this debate for that.

I do not want to comment on all the answers I have received, as I am sure that opportunities will present themselves later. I accept the Minister's officers have provided

a response in relation to the costing of the curriculum guarantee. That is really the only matter on which I want to place on record some comment about the Minister's response. As all members would be aware, the curriculum guarantee was costed at $54 million over the next four years. The Bannon Government has incorporated in this budget document that we are debating an allocation of $6.6 million. I sought from the Minister a breakdown of this $54 million costing because, I guess with any major new controversial package, rumours are rife, anyway. Certainly, rumours are rife within the Education Department at the moment. The costing the Bannon Government has used—the $54 million—is a long way wide of the mark, and senior officers within the Education Department (by 'senior' I mean at the senior executive level and also at senior levels within the area offices) are pulling their hair out at the moment and do not believe the costing or the curriculum guarantee that was obviously provided from somewhere else in the Education Department.

The reason for putting the question was obviously to try to get some breakdown of this figure, which will be a major budget item within the Education Department from now on and certainly over the next four years that we are talking about in relation to a parliamentary term. If there is to be a change of Government, certainly we on this side believe that it will mean significant budgetary commitments made by this Government that the Liberal Party will need to fund over its four-year term after the coming election. Even if the Bannon Government was to be re-elected, again, the exact costing of these commitments will be an important part of the education portfolio section of the overall Bannon budget.

The figures in the response provided by the Minister last night and today in relation to the breakdown of the $6.6 million were, frankly, very rubbery; I suppose that is the jargon for imprecise budgetary estimates. There was no precise breakdown at all as to how the figure of $6.6 million for this year and $54 million over the four years had been calculated. There is no doubt that someone must have done some figure work, yet we were not provided with that to back up the $54 million estimate. Frankly, the response with which we were provided was very disappointing in relation to what is a major budgetary item.

I have nothing further to add during this Committee stage in relation to Education, Employment and Technical and Further Education. Again, I thank the Minister in charge for trying to expedite proceedings both last night and this afternoon.

Progress reported; Committee to sit again.

EQUAL OPPORTUNITY ACT AMENDMENT BILL (No. 2)

In Committee.

Clauses 1 to 3 passed.

Clause 4—'Interpretation.'

The Hon. K.T. GRIFFIN: I move:

Page 1, line 22—Insert '(not being a judicial or magisterial office)' after 'office'.

This amendment deals with the definition of 'employee'. Under the present definition of 'employee' holders of judicial office under the Magistrates Act, the Local and Districts Criminal Courts Act, the Industrial Conciliation and Arbitration Act and the Supreme Court Act are excluded. During the second reading debate, I made the point that those people are not employees: they are independent of the executive and are ultimately accountable to the Parliament, but in a special way, and it would be improper for judicial or magisterial officers to be classified as employees, even for the purposes of this legislation. That would give a Government officer—the Commissioner for Equal Opportunity—the power to require attendance for a variety of reasons of judicial or magisterial officers.

This amendment is designed to make clear that the definition does not include judicial or magisterial officers. In his second reading speech, the Attorney-General said that he thought the amendment was designed to make clearer that they were not covered by the definition. I suggest that the amendment does not make it clearer: they are holders of public office or are statutory officers and, in those circumstances, it seems to me that it needs to be put beyond doubt.

The Hon. C.J. SUMNER: The Government does not oppose this amendment.

Amendment carried.

The Hon. K.T. GRIFFIN: I move:

Page 2—
Line 4—Leave out 'permanent or temporary'.
Line 15—Leave out 'whether permanent or temporary,'.

I raised the difficulties with the definition of 'impairment', both intellectual and physical. I particularly referred to the inclusion of temporary loss of mental faculties in the definition of 'intellectual impairment' and temporary loss of physical faculties in the definition of 'physical impairment'. It is unwise to include in such definitions reference to some temporary impairment, because that may well override, or at least produce a conflict with, provisions in, say, industrial legislation.

The solution I am proposing is to delete the reference to both permanent and temporary so that the question is not then specifically addressed. It seems to me that in those circumstances we avoid the potential conflict between the industrial legislation, for example, and this Bill, or the occupational health, safety and welfare legislation but, more particularly, the workers compensation and rehabilitation legislation.

Of course, if I am not successful with this amendment, there is a fallback and that would come later in Committee: I would seek to ensure that this Bill does not override that other legislation to which I have referred. There are some unexplored consequences of conflict and it would be unfortunate if that was to occur.

The Hon. C.J. SUMNER: This amendment is opposed. The provisions of the Bill are aimed at extending coverage to persons who suffer physical or intellectual impairment of other than a permanent nature. A person who suffers impairment should have the benefit of the legislation without the need to show that the impairment is of a permanent nature. The Government does not accept that the extension of the legislation to 'temporary' impairments will cause conflict with the Workers Rehabilitation and Compensation Act and the Occupational Health, Safety and Welfare Act.

The Hon. M.J. ELLIOTT: The Australian Democrats are quite satisfied with the clause as it now stands and do not support the amendments.

Amendments negatived.

The Hon. K.T. GRIFFIN: I move:

Page 2, lines 20 and 21—Leave out paragraph *(e)* and insert the following paragraph:

(e) by striking out from subsection (1) the definition of 'voluntary worker' and substituting the following definition:

'unpaid worker' means a person who, while undertaking work experience, performs any work for an employer for no remuneration.

This amendment deals with voluntary and unpaid workers. There has been a lot of debate about the desirability of

extending the provisions of the legislation to either volunteers or, as subsequently referred to, unpaid workers. It was admitted in the second reading debate that the primary object of the clause was to address the issue of work experience students. The Volunteer Centre of South Australia was of the view that the amendment that was subsequently made by the Attorney-General, amending 'voluntary workers' to 'unpaid workers', would accommodate that. However, I suggest that it is no improvement on what was in the Bill introduced in March of this year.

I have indicated that, in discussions with the South Australian Council of Social Services, concern was expressed that the inclusion of voluntary workers under the legislation, rather than merely limiting it to work experience students, will open a Pandora's box in relation to the sorts of volunteers that voluntary organisations are able to accept. I indicated that, in my discussions with SACOSS—which were subsequently confirmed by letter to my colleague the Hon. Diana Laidlaw—SACOSS was of the view that any avenue for challenge, by persons who wished to volunteer, of a rejection of their offer of service might lead those organisations into litigation, with consequent legal costs and, more particularly, costs in terms of the time of workers in those organisations when their resources are already particularly stretched.

SACOSS referred particularly to youth shelters in regard to which, on occasions, assistance from volunteers is refused because it is believed that some of those volunteers are of a deviant nature. When rejected, even without the cover of this amendment, those persons have become quite troublesome and have caused problems for member organisations.

Some difficulty may be created within, say, women's shelters for the same reason. Therefore, I take the view that, if the original objective was to extend the protection of the legislation to unpaid workers who were work experience students, that is where it ought to rest. I certainly do not believe that in the voluntary area there ought to be the broad extension with the potential consequences which are proposed by the Bill. It is interesting also to note a letter which I have received from the Commissioner of the St John Ambulance Brigade who also expressed concern about the extension of the equal opportunity legislation to volunteers, and I share that view.

The Hon. C.J. SUMNER: The Government opposes this amendment. The amendment has been discussed with the Commissioner for Equal Opportunity, who does not favour a limited amendment dealing only with work experience students. She considers it important to amend the Act to protect all unpaid workers from discrimination. Under the Equal Opportunity Act, paid employees must be selected because they are the best person for the job. It is proposed that unpaid employees should also be selected on the basis of being the best person for the job. The aim of the amendment is to ensure that organisations are the subject of the same provisions in respect of their paid and unpaid workers. There is no justification for different methods of selecting employees whether they be paid or unpaid. The end result should be that the best person for the job has been selected without regard to arbitrary and discriminatory bases.

If the Hon. Mr Griffin's amendment is adopted, it will actually remove some of the protection already provided for under the current provisions of the Act. At present, section 87 of the Act applies to 'voluntary workers'. This term is defined to mean 'a person who performs any work for an employer for no remuneration'. With the new definition of unpaid worker proposed by the Hon. Mr Griffin, the protection offered by section 87 will be limited to paid employees and work experience students.

The Hon. M.J. ELLIOTT: I fail to see the distinction between the paid worker and the voluntary worker, and I have not really heard anything in what the Hon. Mr Griffin said which has suggested to me that there is any problem and, as such, I will not support the amendment.

The Hon. K.T. GRIFFIN: There is a distinction, and I now ask the Attorney-General whether he can define what is best. I think in terms of volunteers there is frequently a different requirement as to quality. Compassion, sensitivity and interest are not necessarily the best technical or academic qualifications for a job. I suggest that the description 'best for the job' can mean different things to different people in the circumstances of a volunteering task, and in those circumstances I do not accept the honourable member's justification for not supporting the amendment.

The Committee divided on the amendment:

Ayes (10)—The Hons J.C. Burdett, M.B. Cameron, L.H. Davis, Peter Dunn, K.T. Griffin (teller), J.C. Irwin, Diana Laidlaw, R.I. Lucas, R.J. Ritson and J.F. Stefani.

Noes (11)—The Hons T. Crothers, M.J. Elliott, M.S. Feleppa, I. Gilfillan, Anne Levy, Carolyn Pickles, R.R. Roberts, T.G. Roberts, C.J. Sumner (teller), G. Weatherill and Barbara Wiese.

Majority of 1 for the Noes.

Amendment thus negatived; clause as amended passed.

Clauses 5 to 8 passed.

Clause 9—'Advice, assistance and research.'

The Hon. K.T. GRIFFIN: During the second reading debate I asked for information on the extent of the Commissioner's activity under this section. In his reply the Attorney-General said:

> ... it has not been proclaimed. The section has significant resource implications. The work of the Commissioner relating to her educative role, a role which I agree is very important, is currently being performed under section 11 of the Act.

Can the Attorney-General give any indication as to what the significant resource implications are of proclaiming section 12? Can he give any indication as to when it is likely to be proclaimed, and does he agree that whilst it remains unproclaimed there is a deficiency in the services that can be provided to people who seek assistance under the Act?

The Hon. C.J. SUMNER: Much advice, assistance and research is carried out and furnished by the Commissioner to the public in relation to the equal opportunity laws, and that is an ongoing process. However, section 12, which would give the Commissioner statutory power to do that, has not been proclaimed, because to do it in accordance with the statute, as I have said, would have resource implications beyond those that are available at the moment. The Commissioner provides that advice, etc, in so far as it is possible within the existing resources but without the statutory requirement to do so.

The Hon. K.T. GRIFFIN: What level of additional resources will be required should this be proclaimed?

The Hon. C.J. SUMNER: To extend this to a large number of individual cases would require additional resources, according to the Commissioner for Equal Opportunity.

The Hon. K.T. Griffin interjecting:

The Hon. C.J. SUMNER: The Commissioner does not know exactly. She suggests that an additional number of lawyers would have to be employed because of the problems of the Government's being subject to legal proceedings and legal action if advice which is given is negligent or is a misstatement of the law and people act to their detriment in accordance with that advice.

The Hon. K.T. Griffin interjecting:

The Hon. C.J. SUMNER: It does. It is just that the scope of the advice that would have to be provided would be

extended by the proclamation of section 12. That has been the reluctance to date to proclaim it: I am advised that additional staff would be required, particularly legal staff.

The Hon. K.T. GRIFFIN: If section 12 is amended, is there any present intention to proclaim it?

The Hon. C.J. SUMNER: Apropos of the earlier comment I made, I draw the honourable member's attention to section 101, which also has not been proclaimed and which gives a certain defence to a defendant in a prosecution where the Commissioner has given advice in a particular case. Neither of those sections (12 or 101) have in fact been proclaimed, for the reasons that I have outlined, namely, that under section 12 additional resources, particularly in the form of legal personnel, would be required to ensure that if advice is given there are adequate resources to ensure that the advice is the best possible advice that can be given.

Under section 101, if such advice is given and someone is prosecuted or if civil proceedings are taken against a person for breach of the legislation, a defence is available to the defendant based on the advice given by the commission. Obviously, it is important that that advice be correct and be the best advice possible. In order to do that, additional legal personnel, in particular, would be required. I cannot specify how many. The section remains in the legislation, so it would be the Government's intention at least at this stage to proclaim it, although I cannot indicate when that might occur.

Clause passed.

Clauses 10 to 13 passed.

Clause 14—'Discrimination by associations on ground of sex, marital status or pregnancy.'

The Hon. K.T. GRIFFIN: I move:

Page 4, lines 17 and 18—Leave out paragraph *(b)*.

Section 35 of the principal Act deals with discrimination by associations on the ground of sex. Paragraph *(b)* of clause 14 seeks to extend that to marital status or pregnancy. During my second reading speech I said that it seems to me that this is aimed specifically at voluntary organisations, which have a provision in their rules or constitution for something like membership at a reduced rate for married couples compared with the rate for other members.

A specific instance is that of the Liberal Party, which has a reduced fee for husband and wife membership which is lower than the membership fee for two single members. The Commissioner has indicated that technically that is not in breach of the Act. I agree with that, but I believe that if organisations want to make a concession to the recognition of marriage they ought to be able to do it in their membership and they ought not to be compelled by law to provide no concessions for married couples or, if they do, then to offer them equally to those who may be living in a *de facto* relationship. I believe that many organisations are offended by the *de facto* relationship. They ought to be free to make their own decision as to whether they will grant a special recognition for marriage and ought not to be compelled by law to ignore that relationship.

It is in that context that I very strongly oppose paragraph *(b)* of clause 14, because, in my view, it goes against the wishes of very many ordinary people in the community who do believe that there is a greater significance to marriage than there is to a *de facto* relationship and that there ought to be an encouragement of marriage.

They also believe that there is no reason why that status should not be recognised if, for example, membership is offered at a reduced rate for married couples, recognising that in a marriage relationship, in a family, there is frequently additional cost in belonging to organisations, and that the servicing of two members in the context of membership will benefit the organisation as well as recognising that status.

The Hon. C.J. SUMNER: The amendment is opposed. The Government considers that discrimination by associations on account of marital status or pregnancy should be unlawful. That is the situation already under the Commonwealth Sex Discrimination Act of 1984, although the definition of 'clubs' in that Act is different from the definition in the State legislation. Lower concessional fees for couples would be discriminatory if only offered to married couples. However, they could be continued if associations chose to offer joint membership regardless of the relationship of the parties.

The Hon. M.J. ELLIOTT: I have no problems with the clause as it now stands. I do not believe that it will create any of the problems that some people may imagine. We will not be supporting the amendment.

The Hon. K.T. GRIFFIN: I am not suggesting it will create a problem, but it will say that marriage can no longer be recognised in an organisation where it is desired to provide concessional membership. I find that offensive, because it places marriage at no different a level from a *de facto* relationship. I see no reason why organisations of a voluntary nature, whether they be political or charitable, should not be entitled to recognise marriage by a form of, say, concessional membership. That is what I find offensive about the clause.

The Committee divided on the amendment:

Ayes (10)—The Hons J.C. Burdett, M.B. Cameron, L.H. Davis, Peter Dunn, K.T. Griffin (teller), J.C. Irwin, Diana Laidlaw, R.I. Lucas, R.J. Ritson and J.F. Stefani.

Noes (11)—The Hons T. Crothers, M.J. Elliott, M.S. Feleppa, I. Gilfillan, Anne Levy, Carolyn Pickles, R.R. Roberts, T.G. Roberts, C.J. Sumner (teller), G. Weatherill and Barbara Wiese.

Majority of 1 for the Noes.

Amendment thus negatived; clause passed.

Clause 15—'Discrimination on the ground of sexuality by trade unions or employer bodies.'

The Hon. C.J. SUMNER: I move:

Page 5, line 16—Leave out 'association' and insert 'organisation'.

This is a minor drafting amendment which adopts the terminology in the Commonwealth Industrial Relations Act of 1988 relating to the registration of organisations rather than of associations.

The Hon. K.T. GRIFFIN: This clause seeks to ensure that certain associations, essentially industrial associations, may not discriminate on the ground of sexuality. As the Attorney-General said in his second reading explanation, it is in a sense consequential upon amendments made in 1984 which made it unlawful to discriminate on the ground of sexuality in the area of employment. An employer or employee association may discriminate in its membership, but its members in their workplace may not. I opposed quite vigorously and strenuously the amendments in 1984. In consequence a compromise was embodied in the legislation to enable certain discrimination by religious and charitable organisations. I did not believe that that was wide enough then and I do not believe that it is wide enough now.

I have a basic objection to clause 15, because it is an extension of the issue on which I fought so strongly in 1984. In the area of deviant behaviour, ordinary citizens ought not to be compelled to associate if they do not wish to do so. There is an exception in certain limited circumstances, but people are entitled to make choices. Many members of our community find homosexuality, in particular, objec-

tionable and unnatural, although recognising that it exists perhaps more extensively than some may believe. It is on that basis of a continuing and consistent opinion that clause 15 is opposed.

The Hon. C.J. SUMNER: The Government supports this clause. The amendment would remove the proposed provision concerning trade unions and employer bodies discriminating on the ground of sexuality. These bodies have a responsibility to inform their members that they cannot discriminate or be discriminated against in employment on the ground of their sexuality. It is incongruous that these bodies are themselves allowed to discriminate on the ground of sexuality. The Commissiner for Equal Opportunity considers that exclusion from such bodies on that ground is not uncommon and compounds the difficulties a person may have in social adjustment, especially via the enhancement of his or her chances for gaining employment. The Commissioner has been unable in the past to accept complaints from persons alleging discrimination on the grounds of sexuality by a union type association, and the Government's Bill would permit that.

The Hon. M.J. ELLIOTT: I fail to find any support at all for the proposal to delete this clause. I would like to believe that we are moving towards a more tolerant society in all respects. Whilst I am married, straight, with three children, white, able-bodied and so on, I cannot accept discrimination against others on any basis whatsoever. If there are behaviours of certain sorts that some people find undesirable in the work place, other laws would handle them. As for those people who are making the most noise about certain places where they do not want certain people, they would not get many applicants anyway, and I do not know what they are getting into a lather about. This sort of legislation is important and I support this clause as it stands.

The Hon. K.T. GRIFFIN: I would agree that society is more tolerant, but many people hold a strong view that homosexuality is unnatural and abhorrent. They have great difficulty in accepting it as a valid life-style and believe that the emphasis upon it by some sections of the community creates a perception of acceptance, which is undesirable in itself. That does not mean, however, that others are not prepared to accept those people for what they are and to treat them equally, but the point I have been making is that, if an individual holds a view that they do not want to have such a person as a member of his or her association, they ought to be entitled to express that view and participate in decisions about it. As the Hon. Mr Elliott indicated that he supports the clause and does not support my position and, as I indicated that a significant part of the battle was lost in 1984, if I lose this on the voices, I do not intend to divide.

Amendment carried; clause as amended passed.

Clauses 16 to 19 passed.

Clause 20—'Criteria for establishing discrimination on the ground of impairment.'

The Hon. K.T. GRIFFIN: I want to pursue clause 20, which provides criteria for establishing discrimination on the ground of impairment. Paragraph *(d)* provides that there is discrimination on the ground of impairment:

> if, in the circumstances where it is unreasonable to do so—
> (i) he or she fails to provide special assistance or equipment required by a person in consequence of the person's impairment;
> or
> (ii) he or she treats another unfavourably because the other requires special assistance or equipment as a consequence of the other's impairment.

That changes the emphasis of the principal Act quite significantly where, if special equipment is required and it is unreasonable to provide it, it is a basis for discrimination. However, when I raised that issue and the Attorney-General replied, he focused on the fact that the special assistance is not intended to be onerous, nor is it intended to replace the rehabilitative provisions in the WorkCover legislation. He did admit that the section represents an increased obligation on employers but only in respect of vigilance for the rights of and respect for the special needs of impaired persons.

I do not agree with that: it does more than that. This clause is not merely intended to alert people, but it places obligations upon a person and, if the person fails to provide special assistance or equipment in these circumstances, it is discrimination and consequences flow from that, where the failure is unreasonable. Whilst there can be a lot of argument about the cases that determine what is reasonable or unreasonable, the fact is that, in this particular context, there are no cases which can determine what is reasonable or unreasonable to expect of an employer, for example, or a person providing accommodation. I would like to put on record that I believe that the provision will be much more onerous than the Attorney-General is prepared to admit and that it may ultimately be a basis for an unwillingness to employ or to provide accommodation for impaired people, and may have a counterproductive effect on the normalisation of impaired persons.

Generally speaking, this is the sort of obligation that ought to be borne by the community at large, not by individual employers or persons who provide accommodation, particularly where the burden is likely to be onerous and expensive. In those circumstances, whilst I do not oppose the clause, I put on record that my view, which is significantly different from that of the Attorney-General, is that it will be an onerous provision, that it is unreasonable to require individuals to bear that burden and that the State or Federal Governments ought to bear that responsibility so that it is shared by the community at large.

The Hon. C.J. SUMNER: The Government notes the honourable member's views, but does not agree with them.

Clause passed.

Clauses 21 to 31 passed.

Clause 32—'Exemption in relation to sporting activity.'

The Hon. K.T. GRIFFIN: I move:

Page 7, line 36—Leave out 'mental' and insert 'intellectual'.

I raised this during the second reading stage and the Attorney-General indicated that he believed that, in the context in which the word 'mental' appears, it is appropriate, although he was prepared to give some further consideration to the matter.

The clause relates to an exemption from sporting activities and provides that it is not unlawful to exclude a person, who has an impairment, from participation in a sporting activity if the activity requires physical or mental attributes that the person does not possess, and so on.

The emphasis of the addition to the Bill is 'intellectual impairment'. I believe to introduce a concept of mental attributes—whilst I think we all know what that means—introduces a new ingredient to the exclusions, and for that reason I believe that 'intellectual attributes' is more appropriate and consistent with the definitions and with the whole thrust of the move to ensure that intellectually impaired people have equal opportunity. I move the amendment in that context because I believe it is a more appropriate description.

The Hon. C.J. SUMNER: The Government does not believe it is necessary, but it does not object to the amendment.

Amendment carried; clause as amended passed.

Clauses 33 to 37 passed.

Clause 38—'The making of complaints.'

The Hon. K.T. GRIFFIN: I will not move my amendment. I have seen the Attorney-General's amendment and I believe it is more appropriate because it deals with the consent to a complaint being made on behalf of a person and it provides, without the necessity for that consent, to also contain an agreement to be bound by any decision or order. It provides for the person on whose behalf the complaint is made to be bound by any decision or order. I believe that is a better way of doing it than relying on formal written consent. I am happy to defer to the Attorney-General and allow him to move his amendment. I support his amendment.

The Hon. M.J. ELLIOTT: I want to make an observation in relation to the clause itself and not to either of the amendments. In particular, new subsection (1) *(c)* which provides that, where a person aggrieved by an act has intellectual impairment, another person is allowed to stand in their stead. I find it interesting that the Government is really granting a form of third party standing which is something I have been seeking in several other Bills recently and I have been constantly rejected.

The Hon. K.T. Griffin: It's quite different.

The Hon. M.J. ELLIOTT: It is very similar.

The Hon. K.T. Griffin: It is poles apart: this is on behalf of somebody. What you're talking about is someone doing it for themselves right out there in the community.

The Hon. M.J. ELLIOTT: They are not doing it for themselves. In either case, where a person feels a wrong has occurred, they have a right to intervene. I hope the Government will show a lot more consistency in the future, but this is something that I support very strongly.

The Hon. C.J. SUMNER: I move:

Page 8, after line 33— Insert new subsections as follows:

(1aa) A person cannot make a complaint pursuant to subsection (1) *(b)* on behalf of some other person unless that other person has consented in writing to the making of the complaint.

(1aab) A person who consents to a complaint being made on his or her behalf is bound by any decision or order made on the complaint.

The Hon. Mr Griffin's interjection is that consistency does not demand support for the other propositions put up by the Hon. Mr Elliott. There are two situations: there is a section in this Bill and the others that the honourable member has referred to are completely different.

Amendment carried; clause as amended passed.

Clause 39—'Insertion of inquiries'.

The Hon. K.T. GRIFFIN: The Liberal Party opposes the clause. There are certain prerequisites to the institution of inquiries by the Commissioner. There has to be approval by the tribunal, and then also the approval of the Minister before seeking the approval of the tribunal. In those circumstances, where the Minister has approved an application by the commissioner and the tribunal has approved the reference of a matter to the Commissioner, the Commissioner may undertake an investigation. I expressed concern about it from a conceptual point of view because there is no indication of what sort of relationship there is between the Commisisoner and the tribunal. It appears that the authority is granted by the tribunal to the Commissioner. It is not clear whether or not the Commissioner is acting as an agent for the tribunal or acting in the Commissioner's own capacity. It is not clear what powers the Commissioner may exercise. Is the Commissioner excercising powers of the commission to require attendance and answer questions and those sorts of powers, or is it merely to say to somebody, 'Well, I would like to ask some questions. You do not have to answer, but it would be helpful if you did?'

If there is to be a power of investigation by the Commissioner, there needs to be a much clearer expression of that power and the relationship of the Commissioner in the undertaking of that investigation to the tribunal, remembering that if the Commisioner, as a result of the investigation, then takes a matter to the tribunal, the tribunal has in a sense pre-empted the matter by agreeing to the investigation. If this passes, I believe there will be a number of substantive problems in terms of the way in which the Commissioner is to exercise power and what power the Commissioner is to exercise. For that reason, I am not prepared to support the clause.

I know there are considerations such as a person not wanting to actually make a complaint. I believe that raises other questions because, if that person does not want to make a complaint and the Commissioner makes an application to the tribunal to conduct an investigation, it raises questions whether the nature of the complaint and the identity of the complainant should be identified. It also raises questions about the action, generally speaking, which the Commisioner should be able to pursue.

When the matter goes before the tribunal, does notice of the application have to go to the party who is to be investigated? I would have thought that, as a matter of justice, that would be necessary, but there is no indication in the clause that it is anything but an *ex parte* application which the Commissioner takes to the tribunal and says, 'I should like to investigate. This is the basis for it. Can I have approval to do it?' It is wrong that in those circumstances the other party, who might be the subject of the investigation, does not get an opportunity to have a say as to whether or not there should be an investigation. The matter is fraught with difficulties and it ought to be rejected for the numerous substantive reasons to which I have referred.

The Hon. C.J. SUMNER: The Government supports the clause. Clause 39 inserts a new provision which will allow the Commissioner to conduct inquiries. However, I stress that there are checks and balances on the exercise of that power. It can only be exercised pursuant to a reference by the Equal Opportunity Tribunal, and such a reference can arise only after the Minister has approved the Commissioner making such an application to the tribunal in the first place. Under the present law, the Commissioner can act only when a complaint is lodged. However, there are in her experience many cases where persons are not prepared, for a variety of reasons, to lodge complaints that could usefully be the subject of an inquiry. Even though there is no specific complaint, the Commissioner must consider it and obtain the approval of the Minister. The matter must then be taken to the tribunal. Presumably at that point the person or body to be inquired into would be served. The tribunal may then refer it back to the Commissioner for investigation, but ultimately—

The Hon. K.T. Griffin: There is no reference to service of the other party.

The Hon. C.J. SUMNER: The general rules of natural justice would apply. Presumably, with the amendment in clause 40, if the tribunal refers the matter back to the Commissioner, the Commissioner can conduct the investigation. The Commissioner can lay a complaint to the tribunal when the investigation has been carried out. The Commissioner must determine that there is a *prima facie* case before an inquiry can be carried out. I would not expect that to be dealt with *ex parte*. The person being investigated, or at least being inquired into, would be notified.

The Hon. K.T. GRIFFIN: I suggest that there are some basic flaws in that proposition. If section 94 is amended in the terms of clause 40, it will provide that the Commissioner

may, by notice in writing given personally or by post to the person who is alleged to have acted in contravention of this Act, require that person to produce to the Commissioner such books, papers or other documents as may be specified in the notice.

However, there is no requirement in proposed new section 93a that that person be served. Section 94 presently deals with a complaint being lodged and, if clause 40 is successful, the Commissioner can give notice on a complaint being lodged or a matter being referred. I suggest that, if the Attorney-General wants to persist with it, the clause needs substantial amendment.

It needs to be enshrined in the clause that for the application to the tribunal in the first instance the party who is to be the subject of investigation should be given an opportunity to appear at that point. I do not believe that the argument that natural justice requires it would be sufficient to be implied in proposed new section 93a. I still say that there are some problems there that have not adequately been thought through.

Is the Commissioner acting as the delegate of the tribunal or in her own capacity? The Commissioner's relationship to the tribunal is not clear. It may be that the complaint is later lodged, but what happens when the Commissioner has finished the investigation if no complaint is laid? There may have been a lengthy investigation involving considerable cost to the other party, who may not have been given the right to appear at the hearing to determine whether or not there should be an investigation. What happens about costs? Is there to be a requirement that the complainant to the Commissioner be identified? It is wrong in principle that a person who, or a body which, is to be investigated should not know the nature of the allegation which is the subject of investigation or the circumstances in which it is being made. Will the Attorney-General reply to those issues?

The Hon. C.J. SUMNER: I do not see the problems envisaged by the honourable member. I indicated that I felt that, where an application was made by the Commissioner to the tribunal with the approval of the Minister to have such an inquiry, notification would be given to the person or organisation being inquired into. Admittedly that is not stated in the legislation, but I am advised by Parliamentary Counsel that it could be dealt with by regulations. I suggest that, if the Democrats are in favour of the principle of the section, they support the clause and oppose the Hon. Mr Griffin's amendment. If there is a problem with that issue, I will have the Government address it in the other place. I do not see problems to the extent raised by the Hon. Mr Griffin.

The Hon. M.J. ELLIOTT: The Democrats clearly support the clause, but the points made by the Hon. Mr Griffin are valid. It is unfortunate that there is not an amendment to handle those problems as an option to opposing the clause. Is the Attorney-General giving an undertaking that there could be a further amendment to this clause in the other place?

The Hon. C.J. SUMNER: I am saying that the people who or the institutions which it is proposed to inquire into would be notified under proposed new section 93a. It does not specify it, but the rules of natural justice would require them to be notified. However, if there is any doubt about it, I said previously that it could be dealt with by regulation. I further said that if the principle is agreed to I will look at ensuring that that happens by an amendment when the matter is debated in another place, just to save time.

The Committee divided on the clause:

Ayes (10)—The Hons T. Crothers, M.J. Elliott, M.S. Feleppa, I. Gilfillan, Anne Levy, Carolyn Pickles, R.R. Roberts, T.G. Roberts, C.J. Sumner (teller) and G. Weatherill.

Noes (9)—The Hons J.C. Burdett, M.B. Cameron, Peter Dunn, K.T. Griffin (teller), J.C. Irwin, Diana Laidlaw, R.I. Lucas, R.J. Ritson and J.F. Stefani.

Pair—Aye—The Hon. Barbara Wiese. No—The Hon. L.H. Davis.

Majority of 1 for the Ayes.

Clause thus passed.

Clause 40 passed.

Clause 41—'Manner in which Commissioner may deal with alleged contraventions.'

The Hon. K.T. GRIFFIN: I move:

Page 9, line 17—Leave out "six" and insert "three".

Section 95 deals with the manner in which the Commissioner may deal with a complaint, and there is a provision in subsection (8) that, where the Commissioner has declined to recognise a complaint as one upon which action should be taken and the complainant has by notice in writing required the Commissioner to refer the complaint to the tribunal, the Commissioner shall refer the complaint to the tribunal for hearing and determination.

This amendment seeks to include a time limit within which the Commissioner may refer a complaint to the tribunal. It sets a period of six months. My amendment seeks to reduce that period to three months on the basis that that will allow for a considerable period of investigation during which time the Commissioner would have made a decision. It seems to me unreasonable from the point of view of the person against whom the complaint may be laid that that person should have to wait yet another six months. Even three months, I suggest, is too long, but I would be happy with three months because that certainly reduces the time during which the potential respondent is under threat or pressure.

Amendment carried; clause as amended passed.

Clause 42—'Power of tribunal to make certain orders.'

The Hon. K.T. GRIFFIN: I move:

Page 9, line 33—Leave out 'person' and insert 'complainant or person on whose behalf the complaint was duly made'.

The amendment tidies up the obligation to pay compensation in the light of the provisions of clause 38 which provides that a complaint may be made by any person aggrieved by a discriminatory act on behalf of himself or herself and any other person aggrieved by the Act. My amendment will tidy it up and put the question of who is entitled to compensation beyond any doubt.

The Hon. C.J. SUMNER: This amendment is opposed. The Government accepts that, in most circumstances, the respondent would be required to pay compensation only to the complainant or a person on whose behalf the complaint was laid. However, it does not see that the provision needs to be limited in the way suggested by the Hon. Mr Griffin. It may be that in some isolated cases, for example, where the Commissioner has lodged a complaint, that the tribunal may think it appropriate to order the payment of compensation to a person for loss or damage arising from a contravention of the Act.

Amendment negatived; clause passed.

Clause 43 passed.

New clause 44—'This Act does not derogate from other Acts.'

The Hon. K.T. GRIFFIN: I move:

Page 9, after clause 43—Insert new clause as follows:

44. The following section is inserted after section 100 of the principal Act:

100a. This Act does not derogate from the operation of any other Act.

During the course of the second reading debate I raised the question of the extension of the legislation to temporary or permanent impairment, whether intellectual or physical. I also raised the question of changed responsibilities in relation to pregnancy, so far as an employer is concerned, which may in some instances raise conflicts with workers compensation legislation. It may also raise a conflict with occupational health, safety and welfare legislation and, for that reason, I believe there ought to be a provision which in some way or another resolves the potential conflict. It is most unwise for conflicting obligations to be placed upon, for example, an employer with no effective way of knowing how that conflict will be resolved.

It may arise in respect of an award under the Industrial Conciliation and Arbitration Act in addition to the other legislation to which I have referred. It may be that an employer bound by a Commonwealth award may find himself or herself in a position of conflict where an obligation under this legislation conflicts with an employer's obligations under a Commonwealth award or legislation. It may be that there is no clear constitutional superiority in either one or the other. We have made some special arrangements in relation to unfair dismissal, but I do not believe that that is the only area in which there is potential for conflict.

Occupational health, safety and welfare legislation may place special obligations upon an employer with respect to disabled persons or pregnant women and they may then be in conflict with the obligations under the Equal Opportunity Act. For that reason, I believe that there ought to be a clause which provides that this legislation does not derogate from the operation of any other Act.

The Hon. C.J. SUMNER: This amendment is opposed, principally because the Government does not consider it is necessary. The Government accepts that the equal opportunity legislation is complementary to other legislation and may be overriden on the basis of the normal rules of statutory interpretation and, in particular, on the principle of *generalia specialibus non derogant*, that is, where there is a conflict between general and specific provisions, the specific provisions prevail. Therefore, where Parliament deals specifically with an issue relating to discrimination in a contrary way to the general provisions of the Equal Opportunity Act, the specific provision would prevail.

The Hon. K.T. GRIFFIN: That is not really the experience of people out in the real world. It is very much more confused than that for those in the workplace who have to deal with it on a day-by-day basis, not just lawyers but employers and others in the community who provide educational services, accommodation and so on. Ordinary people will have to try to live with this. I do not believe that the rules of statutory interpretation are so clear as to indicate that this legislation is complementary, particularly where it is passed later than other legislation. There is a rule which provides that a later enactment can override or qualify an earlier enactment. I believe there is a need for it, because it puts it beyond doubt. If the Attorney-General believes this is complementary rather than primary, I see no reason why he should not support the amendment.

The Hon. M.J. ELLIOTT: Whilst the Attorney-General has suggested that there is no problem, I would like to turn things around and ask him where he sees there is a problem should this amendment be passed. I am certainly attracted to the amendment. Where will problems occur if the new clause is inserted?

The Hon. C.J. SUMNER: There was a derogation clause in the various individual discrimination Acts, such as the Sex Discrimination Act and the Handicapped Persons Equal Opportunity Act. Those derogation clauses were taken out when the Equal Opportunity Act 1984 was passed.

The Hon. K.T. Griffin interjecting:

The Hon. C.J. SUMNER: The Hon. Mr Griffin says that there was a fair argument about it at the time. The Government preferred to leave the question whether the provisions of this or another Act were to prevail to the general rules of statutory interpretation and not to provide specifically that the Equal Opportunity Act would not derogate from any other legislation. I am suggesting that the Hon. Mr Griffin's amendment is going back some way towards the non-derogation clause which was in the Sex Discrimination Act and which we took out in the Equal Opportunity Act and that, while all the circumstances that were previously covered would not be covered by the honourable member's amendment, it does detract to some extent from the non-derogation principle which was accepted in the Equal Opportunity Act 1984.

Having taken out the derogation clauses in 1984, the Government prefers to leave them out, either in this or in any other form, and to allow whichever Act operates to depend on the general law on the basic principle that I have outlined already.

The Hon. M.J. ELLIOTT: The Attorney-General did not answer my question. He said that it used to be in other Acts and has been taken out. He did not say that it had been taken out because it caused a problem: just that he took it out because he felt it would be nice to have it out. That is not really a very compelling argument. This matter will need to come back to us again, anyway, because of an amendment that the Attorney-General has pledged will be moved in the House of Assembly. So, I will support the amendment to insert this new clause at this time and give it further consideration before it returns to us.

New clause inserted.

Schedule.

The Hon. K.T. GRIFFIN: I wish to make an observation. It is probably more appropriate to do it in another place, but there is the question of mental illness which the Attorney-General raised in his reply, which I had raised during my speech, and on which I have had a number of representations made to me. I think it important to put my response on the record. The Liberal Party supports the principle of metal illness being incorporated. We believe, though, that it introduces a quite different concept from intellectual impairment; that the matter ought to be the subject of consultation; and that we certainly encourage that consultation with all those likely to be affected by such an inclusion so that the full consequences of it for all parties can be determined.

The Hon. C.J. SUMNER: I dealt with this question of discrimination on the ground of mental illness in my second reading response, and I remind the Committee of that. The Government has no objection in principle to the question of discrimination on the ground of mental illness being considered but believes that further work needs to be done on it. I did not want to hold up this Bill at this stage to enable that work and redrafting to be done, because this Bill has now been before the Parliament since March or April of this year and has almost been completely dealt with.

I do not think that it would have been fair to those concerned with the issue of intellectual impairment to hold up the Bill at this stage. In the new year the Government will certainly be examining the question of discrimination on the ground of mental illness.

Schedule passed.

Title passed.

Bill read a third time and passed.

STAMP DUTIES ACT AMENDMENT BILL (No. 4)

Received from the House of Assembly and read a first time.

The Hon. C.J. SUMNER (Attorney-General): I move:

That this Bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Bill

The purpose of this Bill is to enable the introduction of a heavy commercial trailer fee of $150 without loss of stamp duty revenue.

The introduction of the $150 heavy commercial trailer fee is being sought under a separate amendment to the Motor Vehicles Act.

Trailers are currently exempt from stamp duty on new registration and transfers, except when registered in combination with a prime mover. Separate registration (amendment to the Motor Vehicles Act) provides a complication, in that by excluding the market value of the trailer (which by definition will no longer be registered in combination with a prime mover) a shortfall in stamp duty would occur. As a result, stamp duty will now be levelled on all commercial trailers with a tare (unladen) weight exceeding 2.5 tonnes; a commercial trailer being defined as a trailer constructed or adapted solely or mainly for the carriage of goods.

As for the $150 heavy commercial trailer fee, domestically used trailers will continue to be exempt from stamp duty given the relatively high 'cut-off' point (for example, a standard '6 × 4' two-wheel trailer would have a tare in the order of 250 kilograms) and all caravans and other types of non-commercial trailers will also remain exempt.

Clauses 1 and 2 are formal.

Clause 3 amends section 42a of the Act, an interpretation provision enacted in relation to the provisions determining the stamp duty payable on an application to register, or to transfer the registration of, a motor vehicle. Definitions of 'commercial motor vehicle' and 'primary producer' by reference to their respective meanings in the Motor Vehicles Act 1959 are included for ease of reference in schedule 2 to the Act.

Clause 4 amends the item in schedule 2 to the Act that sets out the stamp duty payable on an application to register, or to transfer the registration of, a motor vehicle. The amendment provides that no stamp duty is payable in respect of trailers that have an unladen mass of 2.5 tonnes or less or trailers that are heavier but are not constructed to carry goods. The stamp duty payable on trailers constructed to carry goods of an unladen mass of more than 2.5 tonnes will be equivalent to that payable in respect of commercial motor vehicles.

The Hon. M.B. CAMERON secured the adjournment of the debate.

JUDICIAL ADMINISTRATION (AUXILIARY APPOINTMENTS AND POWERS) ACT AMENDMENT BILL

Returned from the House of Assembly without amendment.

APPROPRIATION BILL

Adjourned debate in Committee (resumed on motion).

(Continued from page 1295.)

Clause 4—'Issue and application of money.'

The Hon. M.B. CAMERON: I have only a few questions to ask in relation to health. I have appreciated the promptness with which questions about the health budget have been answered. In asking these additional questions, I am in no way reflecting on the prompt service that the Opposition has received. There has been some confusion—certainly in my mind at least—in relation to the total amount that has been allocated to health for this financial year. In a reply in the other place, the Minister indicated that $70 million has been allowed to take account of wage and salary increases as they occur during the coming year.

There was some indication that there would be special areas of expenditure on salaries. This has led to a total allocation of $1 134 million for the health budget. Of course, in terms of the previous budget, that is a 5 per cent rise in real terms. However, the majority of that allocation relates to the $70 million. I was somewhat surprised at that amount. The $70 million is not included in the budget, as I see it; therefore of the total round sum allowance—as we call it—of $115 million for all departments it appears that the Health Commission will take $70 million. Is that correct and, if not, can the Minister identify where the $70 million extra will come from?

The Hon. BARBARA WIESE: We are not aware of the overall amount included for the round sum allowance. But there is certainly an amount of $70 million that has been allocated within the round sum allowance for the Health Commission, largely for salary and wage increases, and increased activity in hospitals, to be drawn on during the course of the year.

The Hon. M.B. CAMERON: The overall responsibility for this portfolio is not in the Minister's hands and, therefore, I cannot expect her officers to answer that question. However, there does seem to be a problem if there is an allocation of $70 million over and above the present allocation to the health portfolio. Somewhere along the line an insufficient amount has been allowed, because last year the Education portfolio had an allocation of $35 million. Between the two departments, the round sum allowance would be more than taken up. Last year there was an allowance of $147 million in the round sum allowance. Perhaps the Minister can say what additional amount was allowed for wages and salaries last year over and above the initial amount? That would give some indication in relation to the increased amount this year. The amount of $70 million does seem an awfully large sum. It is somewhat surprising that the round sum allowance has been reduced by $32 million this year, for all departments.

The Hon. BARBARA WIESE: Last year's round sum figure was some $29 million, which was related only to salaries and wages. This year's figure of $70 million includes provision for salaries and wages as well as increased activity in hospitals. It contains an addition but, with respect to the salaries and wages component this year, we are expecting large increases for visiting doctors and also for professional rates for nurses to increase. Provision needs to be made for that. The two figures are not comparable because last year's figure did not include a component for increased activity in hospitals.

The Hon. M.B. CAMERON: I am sure the hospitals will be pleased to hear that they will get $30 million or $40 million for increased activity. I will be delighted to be the

bearer of good tidings to the administrators who fairly constantly complain about the treatment they receive. I refer to the new Women's and Children's Centre at the Children's Hospital. The initial estimate at December 1988 was $37.5 million. I received from several sources an indication (and it was confirmed in estimates) that the figure so far has been $49 million. Dr McCoy said that, from memory, it was some $48 million. The figure given to me was $50 million. Will the Minister indicate what has occurred with this figure as it would mean a $10 million blowout?

The indication was that the Government had not accepted that figure. What will occur if the estimates prove to be correct and there is no way of getting around that additional amount? What action will the Government take in relation to that blowout?

The Hon. BARBARA WIESE: The figure quoted by Dr McCoy of approximately $48 million, which the honourable member suggests might be closer to $50 million, was used by the hospitals as a preliminary estimate in the early stages of this process as to what they think might be close to the mark.

As far as the Health Commission is concerned, the budgeted figure is $37.5 million which the commission will work to. The previous upper limit figure is not acceptable and negotiations, discussions or work will be undertaken to reduce that.

The Hon. M.B. CAMERON: Does that mean that, if the hospital's requirements are such in the end that the higher figure is a necessity, certain parts of the new institution will have to be deleted?

The Hon. BARBARA WIESE: A number of the bids, if you like, that are included in the $50 million are not related to the amalgamation costs of the two hospitals: they are what the Health Commission would consider to be bids for new services, so we will have to negotiate on those issues.

The Hon. M.B. CAMERON: In relation to the capital works program for the coming year, I note that the 120 bed Noarlunga Hospital is mentioned. My original understanding was that that hospital was to be financed by a group called Palantir and then either all or part of it would be leased back to the Health Commission. However, when questions were asked during the Estimates Committee about capital works and the $74.9 million, the Minister said that the $74 million capital was all from Government sources and no private money was involved. Does this mean that the group that was originally scheduled to provide the finance to build the hospital is no longer involved? If it is still involved, what is its part in the project? Is it still providing finance?

The Hon. BARBARA WIESE: The funds are being made available through the State Government capital works program. Palantir will still be involved in the program in a financial sense. It will be contributing some capital costs, but we do not have information about the nature of the financial arrangement as it relates to Palantir. The negotiations on that issue are taking place between Treasury and the company. The funds for the Noarlunga Hospital will be made available to SAFA by way of a trust. I do not know the details of that arrangement.

The Hon. M.B. CAMERON: Will that information be made available to the Committee, or can it be made available at a later stage?

The Hon. BARBARA WIESE: As far as the Health Commission is concerned, we would make available whatever information can be made available within the bounds of what is appropriate commercially. Some information may more appropriately be referred to the Treasurer as this financial package and negotiations are being put together through the Treasury. Whatever information can be made available through the Health Commission will be made available.

The Hon. M.B. CAMERON: In answer to questions, we had a breakdown of staff numbers in the various hospitals. The question asked for a breakdown of medical, nursing and administrative numbers at each of the seven hospitals as at June 1989. Are those figures also available for June 1988? I am not sure whether that question was asked, but I have not received an answer to it. However, I should like that information to be provided, if possible.

Secondly, the answer that we received has two columns, actual and target. For the RAH, it gives medical staff actual numbers as 436.7 and target as 378.8. Can the Minister explain what is meant by actual and target? Does it mean that we are trying to reduce the number of medical staff at the RAH by 50, or is there some other explanation? There are figures for the various hospitals. I am curious to know what it means.

The Hon. BARBARA WIESE: As regards the figures for June 1988, which are comparable with the figures received by the honourable member, it will be possible for us to provide that information at a later time.

The Hon. M.B. Cameron: Next Tuesday?

The Hon. BARBARA WIESE: Expeditiously. If it is possible, we will meet that deadline. Unfortunately, we do not have information about the nature of those figures or the way in which they are framed. It is not part of the work that is undertaken by the officers who are here to advise me. I shall have to take that question on notice and provide the information later.

The Hon. M.B. CAMERON: I will provide a copy of this information so that the Minister can take the question on notice and perhaps give a reply next Tuesday. I should be very concerned if the Government was seeking to reduce the number of doctors at the RAH by 50 and by 20 at the FMC, or trying to reduce nursing staff in some areas. It seemed to me to be a very confusing set of figures. That deserves some explanation before I make a public statement about the nature of what seem to me to be reductions.

The Hon. Barbara Wiese interjecting:

The Hon. M.B. CAMERON: I have been very gentle. I have not made allegations yet and I have had the replies for some time.

The Hon. K.T. GRIFFIN: I want to raise a few questions about the Central Linen Service, and the Minister may or may not be able to answer them: if not, I would appreciate a response later. I am raising these questions because I have taken an interest in the Central Linen Service for quite some time, and each year I have raised questions about the way in which it operates.

My colleague, the Hon. Jennifer Cashmore, raised some questions in the House of Assembly Estimates Committee which I believe ought to be answered. However, there are some aspects of them that do not fully answer the questions raised. The first is in relation to the supply of linen by the Central Linen Service. In answer to a question it was indicated that the service supplies linen under service agreement to the health sector generally, including State Government

departments and instrumentalities, nursing homes, hostels, independent living centres or retirement villages, doctors and dentists surgeries and some hospitality industry outlets where the Central Linen Service is approached and there is no suitable private sector launderer and private sector contract washing as required.

The involvement with the hospitality industry outlets is of interest. Can the Minister indicate the number of those hospitality industry outlets (such as, hotels, motels and restaurants) and the categories into which they fall?

The Hon. BARBARA WIESE: I am not able to provide that information at this time, but I will take those questions on notice and provide it later.

The Hon. K.T. GRIFFIN: Do I take it that the Minister is unable to answer any of the questions about the Central Linen Service? If I ask them now, she could refer them to the responsible Minister and bring back a reply.

The Hon. BARBARA WIESE: Yes.

The Hon. K.T. GRIFFIN: The question was asked in the House of Assembly, 'Will the Minister advise the Committee what taxes and duties does the Central Linen Service pay, for example, rental duty under the Stamp Duties Act, FID, Federal bank debits tax, council rates, water rates, and an amount equivalent to Federal income tax?' The answer supplied by the Minister does not deal with all those sorts of taxes and duties.

First, the answer indicates that the Central Linen Service does not hire linen: it provides a linen service which includes the provision of washing, drying, finishing, and delivery systems, as well as the garments themselves. The service does not, therefore, pay rental duty under the Stamp Duties Act. I understand that private sector organisations provide the same service but are required by the Commissioner for Stamp Duties to pay rental duty because the provision of the linen is regarded as hiring for the purposes of the Stamp Duties Act. Unless there has been some recent change in the attitude of the Commissioner for Stamp Duties, it seems to me that, if private sector organisations are paying this duty, equally the Central Linen Service ought to pay it. I would like the Minister to clarify the requirement to pay rental duty, through the Minister of Health, with the Commissioner for Stamp Duties.

The answer also said that the service pays Federal bank debits tax, with the exception of accounts maintained within the Reserve Bank and SAFA. I would like to know whether the Reserve Bank account and the SAFA account are merely clearing accounts or whether they are operating accounts. If they are operating accounts with the Reserve Bank and SAFA, rather than with some other banking institution, obviously the question of Federal bank debits tax will arise. If they are merely holding or clearing accounts, it may not arise.

What the answer does not address is the payment of FID, and I would like to know whether the Central Linen Service pays FID. The CLS, according to the answer, also pays water rates but does not contribute to Federal income tax. I appreciate that as a State statutory body the service would not pay Federal income tax, but with agencies like the State Bank a payment is made to the Treasurer by the State Bank of an amount equivalent to the income tax which would have been paid by the State Bank if it had been a body corporate required to pay Federal income tax.

I presume from the answer that has been given that no equivalent payment is made by the CLS, and I wonder whether it would be possible to do some calculations of what the amount would have been in the past two financial years if it had been a company liable to pay Federal income tax. In addition, there is an indication that because the CLS is incorporated under the Health Commission Act it is not required to pay council rates. I acknowledge that legally that is the position. I presume from that that there is no equivalent to council rates payable to the State Treasury, but I seek some indication of what council rates would have been in the past two financial years if the CLS had been required to pay them. A further question was:

> Can the Minister identify the factors which indicated that the Queensland company with which the Central Linen Service is trading should be selected? For what reason was that company chosen?

This was a reference to the Queensland company identified in the Auditor-General's Report, where the Auditor-General reflected upon the dealings with the Queensland company, particularly in the context of no sales tax being paid on the goods which were supplied by the CLS to the Queensland company. The reply does indicate that the CLS is establishing links with major linen and rental laundry companies in Victoria, Queensland and New South Wales. Can the Minister indicate the number of companies in each State with which the CLS is establishing links and the volume of business in each case?

The next question asked in the House of Assembly was as follows:

> Are there any other companies outside South Australia with which the CLS trades and, if 'yes', what companies are they?

The answer indicates that, other than the Queensland company which has been referred to in the Auditor-General's Report, the Central Linen Service trades with a number of companies and organisations outside South Australia. They include Australian National, a major Victorian laundry, motels and hotels, gaols and Aboriginal missions. Australian National can hardly be described as non-South Australian. It is certainly a Commonwealth instrumentality but its headquarters are based in South Australia. However, can the Minister indicate the sort of business which is undertaken with the major Victorian laundry? Can she indicate the number of motels and hotels involved, in which States or Territories the Central Linen Service deals, and the extent and nature of its dealings? I do not expect the names of those motels and hotels to be identified.

Can the Minister also identify the gaols with which the Central Linen Service trades, and the nature and extent of its trade with those gaols? Can the Minister also indicate the location of the Aboriginal missions with which it deals and the nature and extent of the trade, without necessarily identifying the names of those missions?

A number of questions were asked about the dealings by the Central Linen Service with the Queensland company referred to in the Auditor-General's Report. One of the questions was, 'From whom did the Central Linen Service purchase the Queensland linen company's requirements?' The answer was:

> The linen required to meet the Queensland company purchase was obtained from a variety of suppliers. For reasons of commercial confidentiality, those companies have not been named.

I am not seeking the identity of the companies from which the Central Linen Service purchased the linen requirements, but I would like to know in which States or Territories those suppliers were located, what sorts of products were acquired by the Central Linen Service for sale to the Queensland company, and whether the Minister is able to identify the extent of the products purchased and subsequently sold in that context?

The other question relates to the controls over the sale of linen with which the board of the Central Linen Service has directed all sales must comply. That arises from an observation by the Auditor-General in his 1989 report about the lack of controls over the dealings by the Central Linen

Service with interstate bodies in particular, a reference to the fact that there were no adequate controls and that the board did not know of the dealings with the Queensland company.

However, the answer which has been supplied says that additional controls introduced by the board include credit worthiness, credit being granted only by the General Manager or Finance Manager with decisions being advised to the board, and where monthly sales to any one customer exceed $5 000 the details of the transactions are to be reported to the board. The interesting aspect of that answer is that the controls include those three aspects. I would like to know what additional controls are required over those sorts of dealings. These are the issues on which I should like some answers from the Minister, and I hope they are answers which can be provided within a reasonable time.

The Hon. BARBARA WIESE: I undertake to refer the honourable member's questions to the Minister of Health, and will also ask him to provide responses as quickly as humanly possible.

Clause passed.

Remaining clauses (5 to 7), schedules and title passed.

Bill read a third time and passed.

SOUTH AUSTRALIAN ETHNIC AFFAIRS COMMISSION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 17 October. Page 1175.)

The Hon. M.S. FELEPPA: I will be very brief, considering the time and the strain on members at this time of the evening.

The Hon. R.I. LUCAS: On a point of order, I point out that the debate on this Bill was adjourned by the Hon. Legh Davis, on this side of the Chamber, and, under all the normal conventions that have applied, the Government speaks to a particular Bill and then the Opposition—

The PRESIDENT: There is no point of order to the extent that it is the person who catches the President's eye—I had the Hon. Mr Davis crossed off my list, so I assumed he was not speaking. My list, which I use as a rough guide but not a complete guide, indicates Mr Feleppa and Mr Stefani in that order, followed by others. Whoever catches my eye first gets the call. I am sorry, but I saw Mr Feleppa rise.

The Hon. R.I. LUCAS: On a point of order, Mr Stefani was on his feet first to speak on this matter. Prior to Mr Feleppa—

The PRESIDENT: I am sorry, I genuinely did not see him. I gave the Hon. Mr Feleppa the call. I genuinely did not see the Hon. Mr Stefani.

The Hon. C.J. SUMNER: I wish to speak to the point of order. The fact is that, in terms of the arrangements between the Parties, the Hon. Mr Feleppa is noted as taking the place of the Hon. Mr Davis. That is clearly noted on my Notice Paper, with the Hon. Mr Stefani to speak with leave to conclude.

The PRESIDENT: Order! I do not take that as a point of order. It was a matter of whoever caught the President's eye first after I noticed that Mr Davis's name had been deleted. As the Hon. Mr Feleppa was on his feet and was about to commence speaking I naturally gave him the call. I did not see the Hon. Mr Stefani rise. Therefore, at present my ruling is that Mr Feleppa has the call. Mr Stefani can speak after Mr Feleppa. The Hon. Mr Feleppa.

The Hon. M.S. FELEPPA: I will endeavour to make my contribution very brief. I will make a few general comments on this Bill, but first let me congratulate the Government and the Minister of Ethnic Affairs (Mr Arnold) on having considered it necessary to amend the previous legislation established in 1980 by the former Liberal Government's Minister of Ethnic Affairs, the Hon. Murray Hill. This Bill provides a working definition of 'multiculturalism' in the South Australian context, in line with the definition of 'multiculturalism' as outlined in the National Agenda for a Multicultural Australia, released by the Prime Minister on 26 July this year. The Bill expands—

The Hon. CAROLYN PICKLES: On a point of order, Mr President, I must take exception to the honourable member opposite coming over here to physically and verbally threaten me. I think that must be against some Standing Order.

The PRESIDENT: Order! I do not take it as a point of order. It was not audible to the Chair. There is a lot of movement across the Chamber at times, when members cross the floor to speak to other members. I assume that that was happening on this occasion and do not accept it as a point of order. The Hon. Mr Feleppa.

The Hon. M.S. FELEPPA: The Bill expands the size and scope of what will be called the Multicultural and Ethnic Affairs Commission. The expanded commission, as indicated in the Bill, will play a role in increasing community awareness and understanding in the area of multicultural affairs as they relate to South Australia. The expansion of the commission will also allow it to involve itself in fields such as economic development, employment and training in ethnic communities and, on a broader scale, in the multicultural society. This Bill has broad bipartisan support from the Liberal Party, as expressed by the Hon. Jennifer Cashmore in the other place on 12 October this year, and I hope that the same support will be given by her colleagues in this place and by the Australian Democrats. Ms Cashmore's contribution would be very welcomed, indeed, by ethnic community groups in light of the confused and divisive debate of previous years, particularly involving certain Federal members of the Liberal Party.

Looking towards the future, I believe there is now broad community acceptance that Australia is a multicultural society. There is even broad acceptance of the definition of 'multiculturalism', as outlined previously. The important role of migrants in building and maintaining the strength of the Australian economy is now unquestioned. In her contribution to the debate, Ms Cashmore said:

> The economic effect of multiculturalism on Australia has been well documented, and it is primarily for economic reasons that migrants have been encouraged to come to Australia.

From now on we should therefore allow these people and their children to continue to contribute more effectively to the progress of our society. We should be moving towards improving access for people from non-English speaking backgrounds to the decision making positions within the Government and private sectors.

This view has been echoed many times before and was reiterated by the hundreds of people of ethnic background who attended a public forum on The Future Direction of Multiculturalism and Ethnic Affairs in South Australia, held on Monday 16 October at the Dom Polski Centre. Mr Mike Rann, in his contribution on the same day in the other place, spoke about the contribution that people of ethnic background have made to the South Australian Parliament and, I might add, to other State Parliaments and the Federal Parliament. There is a need, however, for more representation in Parliaments, State and Federal. Therefore, more

should be done, particularly by the major Parties, to encourage and promote people within the ethnic communities.

As well, there is a need for people from these backgrounds to hold senior positions in the public sector, as indicated before, especially in areas that provide services and benefits to ethnic communities. Accepting multiculturalism as a reality is one thing: implementing policies that provide substance to the philosophy of multiculturalism is another thing.

The Hon. C.J. SUMNER (Attorney-General): I move:

That Standing Orders be so far suspended as to enable the sittings to continue after 6.30 p.m.

Motion carried.

The Hon. M.S. FELEPPA: At some stage the Government will need to look toward providing affirmative action programs in the area of access to higher levels of the public sector for people of non-English-speaking backgrounds. State and Federal Governments have recognised the need for ethnic-specific services such as schools, child care centres, aged care and nursing homes, to name a few. The extension of these services and the planning for implementation of new services and programs will become the priority of the 1990s.

A multicultural public sector at all levels—not just in the clerical area—would need to adequately address the needs of the community in general. Moves towards addressing this situation will ensure that multiculturalism is not just an acceptance of a reality but a philosophy by which our society can and should expand to meet the challenges of the future. This Bill is not a total solution for what migrants have been asking for for many years, but certainly is a step in the right direction. I hope that the Council will see fit to support the Bill.

The Hon. J.F. STEFANI: Thank you, Mr President, for seeing me this time.

The PRESIDENT: Order! That is a reflection on the Chair. The Chair is not happy about that. I stated that I genuinely did not see the Hon. Mr Stefani. The Hon. Mr Feleppa was on his feet and I gave him the call.

Members interjecting:

The PRESIDENT: Order! The Council will come to order. All I am saying is that the Chair resents the implication in Mr Stefani's statement when he got up to address the Bill. I draw his attention to that point.

The Hon. J.F. STEFANI: I apologise, Mr Chairman. I did not intend that to be any sort of reflection on your ability as Chairman.

The CHAIRMAN: No, it was a reflection on my call. I told the honourable member that I genuinely did not see him. I do not want to pursue the matter further, but it was a reflection on the Chair. I try to be as impartial as I can. Had I seen the honourable member and he was on his feet first, he would have had the call.

The Hon. J.F. STEFANI: The Opposition supports this Bill which seeks to add and define the word 'multiculturalism' in respect of policies and practices that recognise and respond to the ethnic diversity of the South Australian community. I believe that this is an important definition which applies particularly to all Government departments that have the responsibility to provide services to a diverse community from the common pool of taxpayers' funds and to deliver services to meet their different needs.

The Bill further seeks to reinforce the role of the commission by ensuring its involvement in advancing policies and practices of multiculturalism and ethnic affairs throughout the mainstream programs of all Government departments and instrumentalities. The proposed legislation will separate the role of the commission and its chairman from the Office of Multiculturalism and Ethnic Affairs. It seeks to increase the number of members appointed to the commission. On behalf of the Opposition I will place on record several observations about this Bill.

First, the Bill provides the Minister with the option to appoint additional members to the commission up to a maximum of 15, but it does not clearly define or fix the number at 15 which, in my view and from my practical experience of the workings of the commission, is too large and will probably cause some difficulties. Secondly, the Bill downgrades the position of chairman to a part-time appointment. That is substantially different from the existing legislation which provides for a full-time chairman (who is also the chief executive officer) and a full-time deputy chairman (who is also the designated deputy chief executive officer).

At this point I pay tribute to the work of the chairman of the commission, past and present part-time commissioners, the members of the various advisory committees and the staff of the commission for the great dedication and commitment to their duties. At times the work of the commission has been severely restricted because of the financial constraints placed on it by the Government, and these constraints have seen the abolition of the position of full-time deputy chairman (who is also the deputy chief executive officer).

I am further concerned that the position of chairman has been made an optional part-time position. Whilst the existing chairman has the guarantee of a full-time position until the expiry of his five-year appointment, by introducing the Bill in this format the Government has chosen to transfer the allocation of funds to the bureaucratic public servant position of a full-time chief executive officer.

At this point I wish to draw a parallel with the Occupational Health and Safety Commission, which has a separate secretariat headed by a full-time chief executive officer; but in addition we have seen the Government's insistence when earlier this year it introduced legislation to appoint a full-time deputy chief executive officer. The office of the Occupational Health and Safety Commission has a total staff of nine, whilst the office of Multicultural and Ethnic Affairs has a total staff of 40, yet the latter will not have a deputy chief executive officer. I have referred to this matter because it seems to me that the Government has two sets of rules and two sets of standards when dealing with ethnic affairs.

The Opposition also notes with interest that the deputy to the chairman of the Ethnic Affairs Commission may be a person who may but is not required to be a member of the commission. A view which has been expressed to me by some members of the community is that the provisions of the Bill should contain the appointment of a deputy to the chairman who must be a member of the commission so that such person can act in the absence of the chairman and be conversant with all previous decisions and policies taken by the commission.

I recognise that, other than the Chairman who is appointed for a term of five years, all other commissioners are appointed for a period of up to three years, and therefore this may present a minor administrative difficulty at the expiration of the three-year term of appointment of a person appointed to act as deputy to the chairman. It can be said, however, that the same difficulty will exist under the proposed legislation.

When I discussed the Bill with the leaders of the ethnic community, they expressed their concerns to me about the appointment of the person as the chief executive officer of the office of multicultural and ethnic affairs as well as

additional members of the commission. When expressing their concerns they have underlined the importance of these appointments and asked me to obtain a commitment from the Government to ensure that such appointments will occur only after the widest possible community consultation and, in the case of the chief executive officer, in close consultation and collaboration with the existing chairman.

The Opposition will have a number of questions in Committee and certain amendments are being prepared. Following the public meeting which was held on Monday night, I am receiving comments and information from various community leaders. I seek leave to conclude my remarks at a later date.

Leave granted; debate adjourned.

ADJOURNMENT

At 6.39 p.m. the Council adjourned until Tuesday 24 October at 2.15 p.m.